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THE KENILWORTH CODE OF 1919

Containing all of the General Ordinances of the Village in force December 8, 1919, together with an appendix containing certain Contract Ordinances of general public interest

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Village of Kenilworth

Kenilworth, Illinois

ZONING ORDINANCE

Passed by the

Village Board of the Village of Kenilworth

April 30, 1923

As Amended November 12, 1923, and June 9, 1924

AN ORDINANCE to classify, regulate and restrict the location of buildings designed for specified business, or residential uses, to regulate and limit the height and bulk of buildings hereafter erected or to regulate and limit the intensity of the use of lot areas, to regulate and determine the area of yards, courts and other open spaces within and surrounding such buildings, and for said purposes to divide the Village into districts and prescribe penalties for the violation of its provisions and to provide for its enforcement and a Board of Appeals

Whereas, the Board of Trustees of the Village of Kenilworth, Illinois, deem it necessary in order that adequate light, pure air and safety from fire and other dangers may be secured, that the orderly use of land and buildings throughout the Village may be conserved, that congestion in the public streets may be lessened or avoided, and the public health, morals, morals, and welfare may otherwise be promoted in accordance with a well considered and comprehensive plan for the use and development of all property throughout the Village, now, Therefore,

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF KENILWORTH, ILLINOIS.

SECTION 1.—DEFINITIONS

For the purpose of this ordinance certain terms and words are hereinth defined as follows

Words used in the present tense include the future, the singular number includes the plural number, and the plural the singular; the word "building" includes the word "structure," the word "shall" is mandatory and not directory. Any words not herein defined shall be construed as defined in the building code

Accessory Building A subordinate building, or portion of main building, the use of which is incidental to that of the main building.

Alley A public thoroughfare not over twenty (20) feet wide

Basement: A story partly under ground, which, if not occupied for living purposes by other than the janitor to his family, shall not be included as a story for the purpose of height measurements.

Boarding House A building where lodging is provided with or without meals according to arrangement for definite intervals, for not less than three nor more than ten (10) persons A boarding house shall not include any business customarily carried on as a restaurant or cafe'ery.

Building A structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of persons, animals or chattels. When separated by party wall without openings it shall be deemed a separate building.

Building, Height of: The vertical distance measured from the sidewalk level to the highest point of the roof surface if a flat roof, to the deck line of mansard roofs, and to a point two-thirds the height of the roof if a gable, hip or gambrel roof For buildings set back from the street line, the height of the building may be measured from the average elevation of the finished grade along the front of the building, provided its distance from the street line is not less than the height of such grade above the established curb level.

Curb Level: The mean level of the established curb in front of the building

Dwelling, One Family: A detached building designed for or occupied exclusively by one family

Dwelling, Two Family: A detached or semi detached building designed for or occupied exclusively by two families

Dwelling, Multiple: A building, or portion thereof, designed for or occupied as the home of three or more families or households living independently of each other, including tenement houses, apartment houses, and apartment hotels

Garage, Private: A garage with a capacity for not more than three (3) self propelled vehicles for storage only, for private use and not more than one space in which shall be rented to persons not occupants of the premises (a) the vehicles allowed, not more than one shall be a commercial vehicle (b) private garage may have a liv (5) vehicle capacity if the lot whereon such garage is located contains not less than three thousand five hundred (3,500) square feet for each vehicle stored.

Garage, Public: A garage other than a private garage used for housing or care of more than three (3) self propelled vehicles, or where any such vehicles are equipped for operation, repaired or kept for remuneration, hire or sale.

Hotel: A building other than a Boarding House, occupied as a more or less temporary abiding place of individuals who are lodged with or without meals, and in which rooms are usually occupied singly and no provision made for cooking in any individual apartment

Lot: Land occupied or to be occupied by a building and its accessory buildings together with such open spaces as are required under this ordinance, and having its principal frontage upon a public street or officially approved place

Lot Lines: The line bounding a lot as defined herein

Non-conforming Use A building or premises occupied by a use that does not conform with the regulations of the use district in which it is situated

Place: An open unoccupied space permanently reserved for purposes of access for abutting property.

Stable, Private: A stable with a capacity for not more than three (3) horses or mules

Stable, Public: A stable with a capacity for more than three (3) horses or mules

Story: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between such floor and the ceiling next above it

Story, Half: A story under a gable, hip or gambrel roof, the wall plates of which, on at least two (2) opposite exterior walls, are not more than two (2) feet above the finished floor of such story.

Street: A [illegible] thoroughfare [illegible] not over twenty (20) feet wide

Structural Alterations Any change in the supporting members of a building, such as bearing walls, columns, beams or girders

Yard An open space on the same lot with a building, unoccupied and unobstructed except by a fence and surrounding such buildings, and for said purposes to divide the Village into districts and prescribe penalties for the violation of its provisions and to provide for its enforcement and a Board of Appeals

Front Yard: The minimum horizontal distance between the street line and the building line, excluding any projection thereof, excluding steps

Rear Yard A yard, unoccupied except by an accessory building, as herein [illegible] extending across the full width of the lot between the building and the rear line of the lot.

Side Yard. A yard between the building and the side line of the lot and extending from the street line to the rear yard

SECTION 2—DISTRICT REGULATIONS

Use—Height—Area

In order to classify, regulate and restrict the location of buildings designed for specified business or residential uses, to regulate and limit the height and bulk of buildings hereafter erected, to regulate and limit the intensity of the use of lot areas, to regulate and determine the area of yards, courts and other open spaces within and surrounding such buildings, the Village of Kenilworth is hereby divided into Six "Districts". The Use, Height, and Area regulations are uniform in each district and said districts shall be known as

"A" Residence District
"B-1" Residence District
"B" Residence District
"C" Residence District
"D" Commercial District
"E" Commercial District

The Village of Kenilworth is hereby divided into Six districts as aforesaid, and the boundaries of said districts are indicated upon the Amended District Map of the Village of Kenilworth, which map is hereto attached and made a part of this ordinance The said District Map as amended and all the notations, references and other matters shown thereon shall be as much a part of this ordinance as if the notations, references and other matters set forth by said map were all fully described herein. For greater certainty in the description of the boundaries of such districts reference is hereby made to the legal description of the real estate comprised within each of such districts as set forth in section eighteen (18) of this ordinance

Except as hereinafter provided,

(1) No building shall be erected or structurally altered, nor shall any building or premises be used for any purpose other than is permitted in the District in which such building or premises is located;

(2) No building shall be erected or structurally altered to exceed in height the limit herein established for the District in which such building is located;

(3) No building shall be erected, nor shall any existing building be structurally altered, enlarged or rebuilt, nor shall any open spaces surrounding any building be encroached upon or reduced in any manner except in conformity with the area regulations hereby established for the District in which such building is located

SECTION 3.—"A" RESIDENCE DISTRICT REGULATIONS.

Use: No building or premises shall be used and no building shall be hereafter erected or structurally altered unless otherwise provided in this ordinance, except for one or more of the following uses:

1 One Family Dwellings
2 Churches
3 Schools, Elementary or High
4 Library
5 Accessory Buildings (See Section 9a) including a private garage within the dwelling or one private garage or private stable separate from the dwelling in which case such garage or stable must be located not less than one hundred (100) feet from the front lot line and not more than six (6) feet from the rear lot line and in case of a corner lot such garage or stable must be located not more than six (6) feet from the inside side line of such lot

6 Uses customarily incident to any of the above uses when located on the same lot and not involving the conduct of a business, including home occupation not involving the conduct of a business on the premises, and the office of a physician, surgeon, dentist, musician or artist, when situated in the dwelling, provided no name plate exceeding one (1) square foot in area, nor signs exceeding twelve (12) square feet in area appertaining to the lease, hire or sale of a building or premises, nor advertising sign of any other character, shall be permitted in any "A" Residence District

Height: No building hereafter erected or structurally altered shall exceed thirty five (35) feet or two and one half (2½) stories See Section 9-a)

Front Yard: There shall be a front yard of not less than forty (40) feet provided that,

1 Where a uniform setback line has been established or observed on one side of a street between two intersecting streets at the time of the passage of this ordinance, no building hereafter erected or structurally altered shall project beyond the average setback line so established, provided that this regulation shall not be so interpreted as to require a setback [illegible] yard such setback line

2 Where thirty (30) per cent or more of all the property, according to front feet, abutting upon one side of a street between two intersecting streets is built up with buildings having an average set back line of more, or of less than thirty (30) feet from the street line, no building hereafter erected or structurally altered shall project beyond the average setback line so established, provided that this regulation shall not be so interpreted as to require a setback [illegible] yard such setback line

Rear Yard: There shall be a rear yard having a minimum depth of twenty-five (25) feet

Side Yard: There shall be a side yard on each side of a building of not less than six (6) feet in width

Lot Area Per Family: Every building hereafter erected or structurally altered shall provide a lot area of not less than six thousand (6000) square feet per family, provided, however, that where a lot has less area than herein required and was in a separate and distinct ownership from adjacent lots and of record at the time of the passage of this ordinance, this regulation shall not apply

SECTION 4.—"B" RESIDENCE DISTRICT REGULATIONS.

Use No building or premises shall be used and no building shall be hereafter erected or structurally altered unless otherwise provided in this ordinance, except for one or more of the following uses

1 One Family Dwellings
2 Churches
3 Schools, Elementary or High
4 Library
5 Accessory Buildings (See Section 9a) including a private garage within the dwelling or one private garage or private stable separate from the dwelling in which case such garage or stable must be located not less than one hundred (100) feet from the front lot line and not more than six (6) feet from the rear lot line and in case of a corner lot such garage or stable must be located not more than six (6) feet from the inside side line of such lot

6 Uses customarily incident to any of the above uses when located on the same lot and not involving the conduct of a business, including home occupation not involving the conduct of a business on the premises, and the office of a physician, surgeon, dentist, musician or artist, when situated in the dwelling, provided no name plate exceeding one (1) square foot in area, nor signs exceeding twelve (12) square feet in area appertaining to the lease, hire or sale of a building or premises, nor advertising sign of any other character, shall be permitted in any "B" Residence District

Height: No building hereafter erected or structurally altered shall exceed thirty five (35) feet or two and one half (2½) stories See Section 9-a)

Front Yard: There shall be a front yard of not less than forty (40) feet provided that,

1 Where a uniform setback line has been established or observed on one side of a street between two intersecting streets at the time of the passage of this ordinance, no building hereafter erected or structurally altered shall project beyond the average setback line so established, provided that this regulation shall not be so interpreted as to require a setback [illegible] yard such setback line

2 Where thirty (30) per cent or more of all the property, according to front feet, abutting upon one side of a street between two intersecting streets is built up with buildings having an average set back line of more, or of less than forty (40) feet from the street line, no building hereafter erected or structurally altered shall project beyond the average setback line so established, provided that this regulation shall not be so interpreted as to require a setback [illegible] yard such setback line

Rear Yard: There shall be a rear yard having a minimum depth of twenty-five (25) feet

Side Yard: There shall be a side yard on each side of a building of not less than six (6) feet in width

Lot Area Per Family: Every building hereafter erected or structurally altered shall provide a lot area of not less than six thousand (6000) square feet per family, provided, however, that where a lot has less area than herein required and was in a separate and distinct ownership from adjacent lots and of record at the time of the passage of this ordinance, this regulation shall not apply

SECTION 5.—"C" RESIDENCE DISTRICT REGULATIONS.

Use No building or premises shall be used and no building shall be hereafter erected or structurally altered unless otherwise provided in this ordinance, except for one or more of the following uses

1 Any use permitted in "B" Residence District
2 Two Family Dwellings
3 Boarding Houses
4 Institutions of an educational, philanthropic, or eleemosynary nature
5 Private Clubs, Fraternities, and Lodges, excepting those the chief activity of which is a service customarily carried on as a business

Height: No building hereafter erected or structurally altered shall exceed thirty five (35) feet or two and one half (2½) stories See Section 9-a)

Front Yard: There shall be a front yard of not less than forty (40) feet provided that,

1 Where a uniform setback line has been established or observed on one side of a street between two intersecting streets at the time of the passage of this ordinance, no building hereafter erected or structurally altered shall project beyond the average setback line so established, provided that this regulation shall not be so interpreted as to require a setback [illegible] yard such setback line

2 Where thirty (30) per cent or more of all the property, according to front feet, abutting upon one side of a street between two intersecting streets is built up with buildings having an average set back line of more, or of less than forty (40) feet from the street line, no building hereafter erected or structurally altered shall project beyond the average setback line so established, provided that this regulation shall not be so interpreted as to require a setback [illegible] yard such setback line

Rear Yard: There shall be a rear yard having a minimum depth of twenty-five (25) feet

Side Yard: There shall be a side yard on each side of a building of not less than six (6) feet in width

Lot Area Per Family: Every building hereafter erected or structurally altered shall provide a lot area of not less than six thousand (6000) square feet per family, provided, however, that where a lot has less area than herein required and was in a separate and distinct ownership from adjacent lots and of record at the time of the passage of this ordinance, this regulation shall not apply

SECTION 6.—"D" COMMERCIAL DISTRICT REGULATIONS

Use No building or premises shall be used and no building shall be hereafter erected or structurally altered unless otherwise provided in this ordinance, except for one or more of the following uses

1 Any use permitted in "C" Residence District
2 Bakery, employing not more than five (5) persons
3 [illegible] establishment
4 [illegible] Agency
5 [illegible] nce station
6 Fire-making establishment
7 Hotel
8 Locksmith Shop.
9 Lodge Hall.
10 Messenger or telegraph service station
11 Millinery Shop
12 Painting and Decorating Shop
13 Plumbing Shop
14 Restaurant
15 Sales or show room
16 Store or shop for the conduct of retail business
17 Tailor Shop
18 Telephone exchange
19 Theatre

Any building primarily used for any of the above enumerated uses may have not more than forty (40) per cent of the floor area devoted to the sale, storage or display of goods incidental to such primary use, provided that not more than five (5) employees shall be encased at any time on the premises in any such incidental use

Height: No building hereafter erected or structurally altered shall exceed three stories (35) feet or two and one-half (2½) stories

Rear Yard: There shall be a rear yard having a minimum depth of twenty-five (25) feet

Side Yard: A side yard, if provided, shall be not less than five (5) feet

Lot Area Per Family: Buildings or parts of buildings hereafter erected or structurally altered for residential purposes shall provide a lot area of not less than twenty-five hundred (2500) square feet per family

SECTION 7.—"E" COMMERCIAL DISTRICT REGULATIONS

Use [illegible] after erected or structurally altered unless otherwise provided in this ordinance, except for one or more of the following uses

1 Any use permitted in the "D" Commercial District
2 Battery Service Station.
3 Electric Repair Shop
4 Laundry, employing not more than five (5) persons
5 Oil Filling Station
6 Public Garage
7 Roofing or Plastering Shop
8 Tinsmithing Shop
9 Tire Repairing Shop

Any building primarily used for any of the above enumerated uses may have not more than forty (40) per cent of the floor area devoted to industry or storage of goods incidental to such primary use provided that not more than five (5) employees shall be engaged at any time on the premises in any such incidental use

Height: No building hereafter erected or structurally altered shall exceed thirty-five (35) feet or two and one-half (2½) stories

Rear Yard: There shall be a rear yard having a minimum depth of twenty-five (25) feet

Side Yard: A side yard, if provided, shall be not less than five (5) feet

Lot Area Per Family: Buildings or parts of buildings hereafter erected or structurally altered for residential purposes shall provide a lot area of not less than twenty-five hundred (2500) square feet per family

SECTION 8.—NON-CONFORMING USES

The lawful use of land existing at the time of adoption of this ordinance although such use does not conform to the provisions hereof may be continued, but if such non-conforming use is discontinued, any future use of said premises shall be in conformity with the provisions of this ordinance

[illegible] building existing [illegible] use does not conform with the provisions hereof, and such use may be extended throughout the building, provided no structural alterations, except those required by law or ordinance are made therein If no structural alterations are made, a non-conforming use of a building may be changed to a non-conforming use of the same or a higher classification.

Whenever a "Use District" shall be hereafter changed, any then existing non conforming use in such changed district may be continued or changed to a use permitted in the same use district as that in which the existing use is permitted, provided all other regulations governing the new use are complied with

Whenever a non-conforming use of a building has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to a less restricted use

SECTION 9.—HEIGHT AND AREA EXCEPTIONS.

The foregoing height and area requirements of all be subject to the following exceptions and limitations:

3a) In the "A" Residence District, one family dwellings may be increased in height by not more than ten (10) feet when two (2) side yards of not less than fifteen (15) feet each are provided. Such dwellings, however, shall not exceed three (3) stories in height.

(b) Chimneys, ornaments, stacks, tanks, water towers, ornamental towers and spires, wireless towers, or necessary mechanical appurtenances may be erected to a height in accordance with existing or hereafter adopted ordinances of the Village of Kenilworth

(c) Any public, building not exceeding one and one half (1 2) stories or twenty-five (25) feet in height, may occupy not more than ten (10) per cent of a rear yard

SECTION 10.—BOARD OF APPEALS

Creation and Membership: A Board of Appeals is hereby established. The word "Board" when used in this section shall be construed to mean the Board of Appeals. The Board of Appeals shall consist of five (5) members, to be appointed by the President and Board of Trustees of the Village of Kenilworth Members shall be appointed for the following terms one for one year, one for two years, one for three years, one for four years, and one for five years The Successor to each member so appointed shall serve for a term of five years. One of the members so appointed shall be named as chairman at the time of his appointment The President and Board of Trustees of such Village shall have the power to remove any member [illegible] to the Board of Appeals [illegible] use and after public hearing Vacancies shall be filled for the unexpired term of the member whose place has become vacant. All members of the Board shall serve with out compensation

Jurisdiction: The Board of Appeals shall exercise all the powers and authority given to boards of appeal under and by virtue of an Act of the General Assembly of the State of Illinois, entitled, "An Act to confer upon certain cities additional powers upon city councils in cities and presidents and boards of trustees in villages and incorporated towns concerning buildings and structures, the intensity of use of lot areas, the classification of trades, industries, buildings, and structures with respect to location and regulation, the creation of districts of different classes, the establishment of regulations and restrictions applicable thereto, the establishment of boards of appeals and the review of the decisions of such boards by the court," approved June 20, 1923, in force July 1, 1923, and the Board of Appeals shall have the power and authority in passing upon appeals to determine and vary the application of any of the regulations of this ordinance in harmony with their general purpose and intent and in accordance with general or specific rules herein contained The Board of Appeals may from time to time adopt such rules and regulations as may be deemed necessary or proper to carry into effect the provisions of this ordinance Three members of the Board [illegible] shall constitute a quorum for the transaction of business

SECTION 11.—CERTIFICATE OF OCCUPANCY

No vacant land shall be occupied or used and no building hereafter erected, or altered, shall be occupied or used until a certificate of occupancy shall have been issued by the Building Commissioner

Certificate of Occupancy for a Building A Certificate of occupancy for a new building, or the alteration of an existing building, shall be applied for coincident with the application for a building permit and shall be issued within ten (10) days after the erection or alteration of such building shall have been completed in conformity with the provisions of these regulations

Certificate of Occupancy for Land Certificate of occupancy for the use of vacant land or the change in the use of land as herein provided, shall be applied for before any such land shall be occupied or used and a certificate of occupancy shall be issued within ten (10) days after the application has been made provided such use is in conformity with the provisions of these regulations.

Certificate of occupancy shall state that the building, or proposed use of a building or land, complies with all the building and health laws and ordinances and with the provisions of these regulations A record of all certificates shall be kept on file in the office of the Building Commissioner and copies shall be furnished on request, to any person having a proprietary interest in the building or premises in question No fee shall be charged for an original certificate of occupancy applied for coincident with the application for a building permit, for all other certificates or for copies of any original certificate there shall be a charge of One Dollar ($1.00) each

No permit for excavation for any building shall be issued before application has been made for a certificate of occupancy and compliance

Certificate of Occupancy for Non-Conforming Use Certificate of occupancy for non-conforming uses existing at the time of the passage of this ordinance, shall be issued by the Building Commissioner, and the certificate shall state that the use is a non-conforming use and does not conform with the provisions of this ordinance The Building Commissioner shall notify all occupants of property being used as non-conforming uses and said occupants shall within thirty (30) days after receipt of such notice apply at the office of the Building Commissioner for a certificate of occupancy

SECTION 12—PLATS

All applications for building permits shall be accompanied by a plat in duplicate drawn to scale, showing the actual dimensions of the lot to be built upon the size of the building to be erected and such other information as may be necessary to provide for the enforcement of these regulations A careful record of such applications and plats shall be kept in the office of the Building Commissioner No yard, court or other open space provided about any building for the purpose of complying with the provisions of these regulations shall again be used as a yard, court or other open space for another building

SECTION 13.—INTERPRETATION PURPOSE AND CONFLICT.

In interpreting and applying the provisions of this ordinance, they shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, prosperity, and general welfare It is not intended by this ordinance to interfere with or abrogate or annul any easements, covenants or other agreements between parties, provided, however, that where this ordinance imposes a greater restriction upon the use of a building or premises or upon the height of a building, or requires larger open spaces than are imposed or required by other ordinances rules, regulations or permits, or by easements, covenants or agreements, the provisions of this ordinance shall govern

SECTION 14.—VIOLATION PENALTY, ENFORCEMENT.

Any person, firm or corporation who violates, disobeys, omits, neglects, or refuses to comply with, or who resists the enforcement of, any of the provisions of this ordinance shall, upon conviction, be fined not less than ten (10) dollars, nor more than one hundred (100) dollars for each offense Each day that a violation is permitted to exist shall constitute a separate offense The Building Commissioner is hereby designated and authorized to enforce this ordinance

SECTION 15—BOUNDARIES OF DISTRICTS.

Where uncertainty exists with respect to the boundaries of the various districts as shown on the maps accompanying and made a part of this ordinance, the following rules shall apply

(a) The district boundaries are either streets or alleys, unless otherwise shown, and where the designation on the maps accompanying and made a part of this ordinance indicating the various districts are approximately bounded by street or alley line, said street or alley shall be construed to be the boundary of such district

(b) Where the district boundaries are not otherwise indicated and where the property is subdivided into blocks and lots, the district boundaries shall be construed to be lot lines, and where the designations on the maps accompanying and made a part of this ordinance indicating the various districts are approximately bounded by lot lines, said lot lines shall be construed to be such boundaries of such district, unless said boundaries are otherwise indicated on the maps

(c) In unsubdivided property, the district boundary lines on the maps accompanying and made a part of this ordinance shall be determined by use of the scale contained on such maps

SECTION 16.—VALIDITY.

Should any section or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not effect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid

SECTION 17. — CHANGES AND AMENDMENTS

Any amendment of the regulations imposed by this ordinance or of the districts created herein may be made upon petition or recommendation of the amendment being duly held before a Commission or Committee designated by the President and Board of Trustees of the Village of Kenilworth for such public hearing, at least fifteen (15) days notice of the time and place thereof shall be published in a [illegible] of general circulation in said Village, and written protest against any proposed amendment, signed and acknowledged by the owners of twenty per cent (20%) of the frontage proposed to be altered, or by the owners of twenty per cent (20%) of the frontage immediately adjoining or across an alley thereof, or by the owners of twenty per cent (20%) of the frontage directly opposite the frontage proposed to be altered as to such regulations or altered boundary lines, filed with the Village Clerk, such amendment shall not be passed, except by the favorable vote of two-thirds of all the members of the Board of Trustees of said Village

SECTION 18.—PROPERTY INCLUDED IN THE VARIOUS DISTRICTS

"A" Residence District Blocks 1 and 2 [illegible] except the S E 13.25 feet of Lot 5; all of lot 7 and the northwesterly 12 feet of Lot 9, Block 2), Blocks 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16, all in Kenilworth Subdivision, blocks 17, 18, 19, 20 and 21 in Kenilworth Company's addition to Kenilworth, blocks 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 and 35 in Oxford Addition to Kenilworth, blocks 28, 30, 31, 32, 33, 34 and 35 in Oxford Addition to Kenilworth, Blocks 1, 2, 3, 4 and 5 in Kenilworth Beach, Cresaps Subdivision, parts of lots 1 and 2, Chatfield's Subdivision; all unsubdivided lands within the Village in Sections 21, 22, and 27 in the Village in Sections 21, 22, and 27 and blocks 1, 2, 3, 4 and 5 in the Kenilworth Community Development, being a subdivision of the Northwest Quarter (N W ¼) of the Southeast Quarter (S E ¼) of Section 28, Township 42 North, Range 13 East of the Third Principal Meridian, in the Township of New Trier, County of Cook and State of Illinois

"A-1" Residence District: James Rice Brown's Addition, (except lots 1 to 24, inclusive), block 1, (except lots 1 to 11, inclusive), block 2, block 3, block 5 (except lots 1 to 7, inclusive) block 5 (except lots 1 to 7, inclusive, and 27 to 29, inclusive) and block 6, in West Kenilworth Subdivision, lot 1 of Lauerman's Subdivision, those parts of Lauerman's subdivision of Ridge Road of Lots 1 to 8, inclusive, in Barbara Wagner's Subdivision, Lots 1 to 7 and 13 to 15 inclusive in Roslyn Gardens Addition Lots 2, 3, Lots 1 to 12, inclusive, in Maclean's Subdivision, Lots 1 to 18, inclusive, and Lots 14 to 17, inclusive, in Hill Ridge Subdivision, Lots 1 to 12, Hill Ridge Subdivision, Lots 1 to 12, inclusive, and lots 19 to 23, inclusive, in Barnes' Addition Hill Subdivision No. 4, Mains' Indian Hill Subdivision No. 4, Lots 1 to 12, inclusive, and Lots 20 to 26, inclusive, in Mains' Indian Hill Subdivision No 3 and Lots 1 to 18, in Subdivision No 4 and Lots 1 to 35 inclusive in Maclean's Indian Hill Subdivision, all in Section 28, Township 42 North, Range 13 East of the Third Principal Meridian, in the Township of New Trier, County of Cook, State of Illinois

"B" Residence District: Lots 1 to 24, inclusive in James Rice Brown's Addition, Lots 1 to 11 inclusive in Block 1, Lots 1 to 7, inclusive in Block 4, and Lots 1 to 7, inclusive in Block 5, West Kenilworth Subdivision, all in Section 28, Township 42 North, Range 13 East of the Third Principal Meridian, in the Township of New Trier, County of Cook, State of Illinois

"D" Commercial District That part of Block 2, known as the Southeasterly 12 feet of Lot 7 and the Northwesterly 12 feet of Lot 9, Block 2, in Kenilworth Subdivision, lots 6, 7, 27, 28 and 29, in Block 5, West Kenilworth Subdivision, Lots 1 and 2 in the subdivision of Block 36 and "A triangular tract of land, except streets, in the southwesterly corner of the East half (E ½) of the Northeast Quarter (N E ¼) south of the railroad," all in Section 28, Township 42 North, Range 13 East of the Third Principal Meridian, in the Township of New Trier, County of Cook and State of Illinois

"E" Commercial District: Lots 3 to 9, inclusive, in the subdivision of Block 36, Section 28, Township 42 North, Range 13 East of the Third Principal Meridian, in the Township of New Trier, County of Cook and State of Illinois

SECTION 19.—WHEN EFFECTIVE.

This ordinance shall be in effect from and after its passage, approval and posting, as required by law

Amendment passed and approved by the President and Board of Village Trustees of the Village of Kenilworth, this 9th day of June, 1924

(Signed) CLIVE J. TAYLOR,
Village Clerk

(Signed) JAMES C MURRAY,
Village President

Posted this 11th day of June, 1924

(Signed) CLIVE J. TAYLOR,
Village Clerk

DISTRICT MAP

SHOWING DISTRICTS FOR USE-HEIGHT AND AREA REGULATIONS.

KENILWORTH ZONING COMMITTEE
HARLAND BARTHOLOMEW
CONSULTANT

LEGEND

- "A" RESIDENCE DISTRICT
- "B" RESIDENCE DISTRICT
- "C" RESIDENCE DISTRICT
- "D" COMMERCIAL DISTRICT
- "E" COMMERCIAL DISTRICT
- B-1 RESIDENCE DISTRICT

Passed and approved by the President and Board of Village Trustees of the Village of Kenilworth, this 30th day of April, 1923

(Signed) HARRY E WEESE
Village Clerk

(Signed) JAMES C MURRAY,
Village President

Posted 18th day of May, 1923
(Signed) HARRY E WEESE

Amendment passed and approved by the President and Board of Village Trustees of the Village of Kenilworth this 12th day of November, 1923.

(Signed) HARRY E WEESE,
Village Clerk

(Signed) JAMES C MURRAY
Village President

Posted this 13th day of November, 1923
(Signed) HARRY E. WEESE, Village Clerk.

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THE KENILWORTH CODE OF 1919

Containing all of the General Ordinances of the Village in force December 8, 1919, together with an appendix containing certain Contract Ordinances of general public interest

Adopted by the Board of Trustees of the Village of Kenilworth, Cook County, Illinois, December 8, 1919, and approved by the President of the Board of Trustees December 8, 1919.

Revised and Codified by
ELMER E. JACKSON, VILLAGE ATTORNEY

Published by authority of the Village Board of the Village of Kenilworth, Illinois, December 8, 1919, in Book Form.

VILLAGE BOARD

Frank R. Young, President

Merritt H. Dement
Frank W. Cherry
Charles T. Chandler
James C. Murray
William F. Freudenreich
Alexander M. Lovedale

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The Kenilworth Code of 1919

PASSED DECEMBER 8, 1919.

An Ordinance for Revising and Codifying the General Ordinances of the Village of Kenilworth.

WHEREAS, many ordinances of the Village of Kenilworth have been passed from time to time during the development and growth of said Village but without being published in compact form for the use of its citizens; and,

WHEREAS, many of said ordinances, in order to keep pace with the development of said Village, should be amended, amplified and revised and also codified and arranged in chapters and sections for the greater convenience and availability of those who may wish to have access to them, therefore

Be it ordained by the President and Board of Trustees of the Village of Kenilworth:

CHAPTER I.

Board of Trustees.

Section 1. REGULAR MEETINGS. The regular stated meetings of the Board of Trustees shall be held on the second Monday in each month of each year, at eight o'clock p. m., at the Assembly Hall or such other place in the Village of Kenilworth as the Board of Trustees shall from time to time direct.

Section 2. SPECIAL MEETINGS. Special meetings may be held at any time, on call of the President or any two or more Trustees; such call shall be made in writing, duly signed, and shall be presented to the Clerk, who shall proceed immediately to prepare notices of such meeting and shall cause them to be served on the President and members of the Board of Trustees, personally or by mail; such notices shall describe in brief the nature or objects of the meeting.

Section 3. PRESIDING OFFICER—RULES OF ORDER—QUORUM. At all meetings of the Board of Trustees the President of the Village shall preside, and Roberts' Rules of Order shall govern the proceedings of the meetings in so far as they are applicable. In the absence of the President, a chairman of the meeting may be chosen by the Trustees present. At all meetings of the Board, four Trustees shall constitute a quorum.

Section 4. MANNER OF VOTING. The yeas and nays shall be taken upon the passage of all ordinances, and upon all propositions to create any liability against the Village, or for the expenditure or appropriation of its money, and in all other cases at the request of any member, which shall be entered on the journal of its proceedings, and the concurrence of a majority of all the members elected of the Board of Trustees shall be necessary to the passage of any such ordinance or proposition; provided, it shall require two-thirds of all the Trustees elect to sell any Village property.

Section 5. STANDING COMMITTEES. The following shall be the standing committees of the Board of Trustees each of which committees shall consist of a chairman and two other

members and which committees, in addition to other duties which may be assigned to them from time to time, shall have general charge, under the Board of Trustees, of the respective matters mentioned under each committee, viz.:

1. *Public Service and Building Committee,* which shall have charge of the relations of the Village with all public service corporations, the construction or alteration of all public or private buildings and all new legislation.

2. *Finance Committee,* which shall have charge of the finances of the Village.

3. *Streets, Lighting and Sewerage Committee,* which shall have charge of the streets, sidewalks, street lighting and all matters relating to the sewerage, drainage and water systems and the removal of garbage, ashes and waste.

4. *Police and Fire Committee,* which shall have charge of the Police and Fire Departments and the enforcement of all police regulations and fire regulations and of all penal ordinances of the Village.

CHAPTER II.

The Village President.

Section 1. BOND. The President shall, before he enters upon the duties of his office, execute a bond to the Village of Kenilworth in the sum of three thousand dollars, with sureties to be approved by the Board of Trustees, conditioned as prescribed by law.

Section 2. TO ISSUE COMMISSIONS—PERMITS—LICENSES. He shall sign all commissions and permits granted by the Board of Trustees, and grant all licenses, except as otherwise provided by law and ordinance, and he shall perform such other acts as may be required by law or ordinance.

Section 3. CONDUCT OF VILLAGE OFFICERS—COMPLAINTS. He shall supervise the conduct of all officers of the Village of Kenilworth, examine the grounds of all reasonable complaints made against any of them, and cause all their violations of duty and other neglects to be reported to the Board of Trustees for correction.

Section 4. APPOINTMENTS—VACANCIES. He shall appoint, by and with the advice and consent of the Board of Trustees, all officers whose appointment is not by the laws of this State or the ordinances of this Village otherwise provided for; and whenever a vacancy shall happen in any office, which by law or ordinance he is empowered to fill, he shall within thirty days after the happening of such vacancy, communicate to said Board of Trustees the name of his appointee to such office, and pending the concurrence of the Board of Trustees in such appointment, the President may appoint some suitable person to discharge the duties of such office.

Section 5. POWERS RE LITIGATION. He shall sign, and is hereby authorized to sign in behalf of the Village, all instruments necessary to the prompt prosecution or defense of any or all actions brought by or against said Village, including bonds for injunction.

Section 6. DISCHARGE OF PRISONERS—REPORT TO

BOARD. The President shall have the power and authority to release and discharge, at his discretion, any person imprisoned for the violation of any Village ordinance. In each and every case in which such release shall be so made by the President, he shall cause a proper record thereof to be made and notice thereof to be sent to the Village Board, accompanying such notice with a statement setting out his reasons for such release.

Section 7. GENERAL POWERS AND DUTIES. He shall preside at all meetings of said Board, but he shall not vote except in a case of a tie, when he shall give the casting vote, and he shall also perform the duties and exercise the powers conferred by the laws of this State, upon the President of a Village, and such other acts and duties as may be prescribed by ordinance.

Section 8. WARRANTS. The President shall sign all warrants and orders on the Village Treasurer for the payment of money and after the same have been signed by the Clerk shall deliver the same to the Village Treasurer for payment.

Section 9. COMMITTEES. He shall name all standing committees of the Board of Trustees which are required by ordinance and all special committees which may be necessary from time to time or which may be ordered by resolution of the Board of Trustees.

CHAPTER III.

The Village Clerk.

Section 1. ELECTION. There shall be elected at the annual Village election of 1920, and bi-ennially thereafter, a Village Clerk, who shall have resided within the corporate limits of the Village at least one year next preceding the election at which he is a candidate, and who shall hold the office of Village Clerk for two years and until his successor is duly elected and qualified.

Section 2. BOND. He shall execute to the said Village, a bond in the sum of two thousand dollars, in the usual form, or as is, or shall hereafter be provided by law, with sureties to be approved by the Village Board, said bond conditioned for the faithful performance of his official duties, and he shall also take the customary oath of office before entering upon the duties of his office.

Section 3. OFFICE. He shall keep his office for the transaction of Village business at the Assembly Hall or at such other place in the Village as shall be designated from time to time by the Board of Trustees.

Section 4. SEAL. He shall keep the corporate seal, and affix the same to all papers which require it.

Section 5. KEEP RECORDS—ATTEND MEETINGS. He shall keep all records and papers belonging to the Village, and attend all meetings of the Board of Trustees, and keep a full record of its proceedings in the journal.

Section 6. PREPARE WARRANTS. He shall prepare all warrants on the Treasurer for the payment of money, countersign and deliver the same to the President for his signature and delivery to the Treasurer.

Section 7. CERTIFIED COPIES. He shall make copies of all papers duly filed in his office and transcripts from the journals and other records and files of his office, certified by him under the corporate seal, for use in evidence in courts when required.

Section 8. NOTIFY PERSONS ELECTED. It shall be the duty of the Village Clerk within five days after the result of any election is declared or appointment made, to notify all persons elected or appointed to any Village office, of their election or appointment, and unless such persons shall respectively qualify within ten days after such notice, the office shall become vacant.

Section 9. RECORD, POST, AND PUBLISH ORDINANCES. All ordinances passed by the Board of Trustees shall be recorded by the Clerk in a book to be kept for that purpose, before the next regular meeting after their passage. If the ordinance requires posting or publishing, he shall cause the same to be duly posted or published. He shall note, at the foot of the record of each ordinance, a memorandum of the date of its passage, and the date of its approval (if approved) by the President of the Village, and if posted or published, the date of the posting or publishing of such ordinance; which record and memorandum, or a certified copy thereof, shall be *prima facie* evidence of the passage and posting or publishing of such ordinance for all purposes whatsoever. The original shall be filed in the office of said Clerk.

Section 10. FILE APPROPRIATION ORDINANCES WITH COUNTY CLERK. He shall, on or before the second Tuesday in August in each year, file with the County Clerk of the County of Cook, Illinois, a certified copy of the ordinance in which the total amount of appropriations for all corporate purposes of the Village of Kenilworth, legally made, are levied and assessed.

Section 11. RECEIVE AND REPORT COMMUNICATIONS TO BOARD. All petitions, remonstrances, bids, bills or other communications, addressed to the Board of Trustees, shall be received by the Clerk and read by him, at the meeting of the Village Board next succeeding their receipt by him, unless otherwise ordered by the Village Board.

Section 12. SURRENDER PROPERTY AT EXPIRATION OF TERM. At the expiration of his term of office for any reason whatever, all moneys, property and effects belonging to said Village of every description in his possession, shall be by him handed over to his successor, or to any other person who may be specially designated by resolution of the Village Board.

Section 13. VACANCY IN OFFICE. In case of the death, removal from Village, or inability of the incumbent of such office, the vacancy thus or otherwise occurring may be filled by appointment, until the next ensuing annual election. Such appointment shall be made by the President of the Village, subject to the approval of a majority of the Board of Trustees.

Section 14. COMPENSATION. Such Village Clerk shall receive no compensation for his services except such as may be voted him by the Board of Trustees in their discretion.

CHAPTER IV.

Village Attorney.

Section 1. OFFICE CREATED. There is hereby created the office of Village Attorney for the Village of Kenilworth, the term of which office shall be for and during the fiscal year for which the Village Attorney is appointed.

Section 2. APPOINTMENT—TERM OF OFFICE—QUALIFICATIONS. Such office shall be filled by the appointment of the President of the Village, by and with the approval of a majority of the Board of Trustees, which appointment shall be made within thirty days after the annual installation of the President of the Village, or as soon thereafter as may be, and annually thereafter; and said Village Attorney shall hold his office during the fiscal year for which he is appointed and until his successor is appointed and qualified. Such Village Attorney shall be a regularly licensed and practicing member of the Cook County, Illinois, bar, and shall have resided within the corporate limits of said Village of Kenilworth at least one year next preceding the first day of the fiscal year for which he is appointed.

Section 3. DUTIES. The duties of such Village Attorney shall be to advise the President and Board of Trustees, committees thereof, and officers of the Village, on legal questions; to attend all regular meetings of the Board; to render legal opinions on questions submitted to him; to draft ordinances and legal documents on behalf of the Village when requested to do so by the Board of Trustees; to prosecute violations of the ordinances; to appear for and defend such Village in all suits at law or in chancery to which it may be a party, and to perform such other duties in behalf of the municipality as pertains to the office; and at the termination of his term of office the Village Attorney shall make, and file with the Village Clerk, a written report showing the business transacted and the services rendered by him, the compensation received and the status of all pending litigation, unfinished business, and all other material facts of public interest pertaining to the conduct of said office for the preceding fiscal year.

Section 4. COMPENSATION. No regular salary shall attach to this office, but in special cases the board may allow such compensation as the circumstances shall warrant.

Section 5. VACANCY. In case of the death, removal from the Village, or inability of the incumbent of such office, the vacancy thus or otherwise created may be filled by appointment by the President of the Village, by and with the approval of a majority of the Board of Trustees.

CHAPTER V.

Village Treasurer.

Section 1. OFFICE CREATED. There is hereby created the office of Village Treasurer for the Village of Kenilworth, the term of which office shall be for and during the fiscal year for which the Village Treasurer is appointed.

Section 2. APPOINTMENT—TERM—QUALIFICATIONS. Such office shall be filled by the appointment of the President of the Village, by and with the approval of a majority of the Board of Trustees, which appointment shall be made within thirty days after the annual installation of the President of the Village, or as soon thereafter as may be, and annually thereafter, and said Village Treasurer shall hold his office for and during the fiscal year for which he is appointed, and until his successor is appointed and qualified. No one shall be appointed to such office of Village Treasurer unless he shall have resided within the corporate limits of the Village of Kenilworth at least one year next preceding the time at which such appointment is made.

Section 3. DUTIES. It shall be the duty of the Village Treasurer in addition to the duties prescribed by law to keep a true and accurate account of all moneys paid into the Treasury, by whom and on what account received; pay out all such sums of money as may be ordered by the Board of Trustees, and only on warrants therefor signed by the President, and countersigned by the Village Clerk, and in all such cases such warrants must state upon what particular fund they are drawn.

Section 4. BOOKS TO BE KEPT. The books which must be kept by the Treasurer shall at all times show the exact condition of the moneys under his control, of each account and appropriation, and of all receipts and disbursements, and such books, together with all others belonging to the Village, and in his custody, shall be by him handed over to his successor or to such other person as the Board of Trustees shall at any time direct. The Treasurer shall upon receipt of all moneys enter and apportion the same to the credit of the several accounts upon which such moneys are paid, stating from whom

they are received. He shall keep a separate account with each fund or appropriation, stating at the head of each account the amount so appropriated, and giving the several debits and credits belonging thereto.

Section 5. SPECIAL ASSESSMENT ACCOUNTS. He shall also keep an account with each special assessment under its general description and number, and said account shall show at its head the amount assessed for public benefits and also that for special benefits. All moneys received on any special assessment shall be held by the Treasurer as a special fund to be applied to the payment of the improvement for which the assessment was made, and said money shall be used for no other purpose whatever, except as may have been provided in the ordinance for the improvement.

Section 6. FUNDS TO BE KEPT SEPARATE. No money shall be paid by the Village Treasurer upon any warrant, bond or coupon, except from the moneys belonging to the particular fund or appropriation upon which said warrant shall have been drawn, nor shall money be transferred, by the Treasurer from one fund to another after it has been received by him; nor appropriated to any other purpose than that for which it has been collected or paid, without a vote of the majority of the Village Board.

Section 7. ACCOUNTS TO BE RENDERED MONTHLY AND ANNUALLY. The Treasurer shall, at the end of each and every month, and oftener, if required, render an account to the Village Board, under oath, showing his receipts and disbursements in detail during the month, and the state and condition of every account not closed in his books, the whole to be a balance sheet, and a complete abstract of the financial affairs of the Village. He shall also annually, between the first and tenth days of May, make out and file with the Village Clerk a full and detailed account of all such receipts and expenditures, and of all his transactions as such Treasurer during the preceding fiscal year, and shall show in such account the state of the Treasury at the close of the fiscal year; which account the Clerk shall immediately cause to be published in a newspaper published in the Village of Kenilworth, and in case there is no newspaper published in said Village, then such statement of account shall be posted in at least three conspicuous public places in said Village.

Section 8. CANCELLED WARRANTS TO BE RETURNED. The Treasurer shall cancel all warrants paid out and redeemed by him, and upon the rendering of any monthly report he shall cause the same to be accompanied by all warrants, duplicate receipts in detail for all moneys received, and such other vouchers as will fully and entirely cover all his transactions for the month of such report. Upon examination and approval by the Finance Committee, the Village Clerk shall take charge of the Treasurer's report, warrants and vouchers, and shall keep the same on file in his office.

Section 9. BOOKS AND FUNDS TO BE TURNED OVER TO SUCCESSOR. Whenever his term of office shall expire, whether caused by resignation, removal from the Village, or removal from office by said Village Board, the appointment or election of a successor or other cause, it shall be the duty of such Treasurer or person to at once deliver to his successor in office, or such other preson as may be specially designated by resolution of the Village Board, all moneys, property, books and effects of every description in his possession, belonging to said Village or appertaining to his office; and he shall also at once account for and pay over to such successor or other person so designated, all moneys that he shall be accountable for and owe to said Village in his capacity as Treasurer. Any person who, having acted as Treasurer, shall, on the expiration of his term of office in any of the ways above mentioned, violate any provision of this ordinance, shall be liable for all damages caused thereby, and shall further forfeit and pay to said Village a penalty of not less than one hundred dollars nor more than two hundred dollars.

Section 10. WHERE BOOKS SHALL BE KEPT. He shall keep all books, papers, vouchers, warrants, documents and all other instruments in writing appertaining to his office, at the Assembly Hall in said Village, or at such other place in said Village as the Board of Trustees may from time to time designate, which said books and documents shall at all times be open to the inspection of the President of the Board of Trustees, any member of the Board of Trustees, the Village Clerk and the Attorney of said Village.

Section 11. BALANCING BOOKS. The books of account herein provided to be kept by such Treasurer shall be by him properly balanced at least once in each month, in such manner

that the same, when so balanced, shall show the true status and condition of each and every account therein shown.

Section 12. BOND. He shall execute, acknowledge, and deliver to the said Village, a bond in the penal sum of ten thousand dollars, in the usual form, or as is, or shall hereafter be provided for by law, with good and sufficient sureties to be approved by the Village Board, said bond conditioned for the faithful performance of his official duties, and shall also take the customary oath of office before entering upon the duties of his office.

Section 13. COMPENSATION. No salary shall attach to this office except as may be voted him by the Board of Trustees in their discretion.

Section 14. VACANCY. In case of the death, removal from the Village, or inability of the incumbent of such office, the vacancy thus or otherwise occurring, may be filled by appointment for the remainder of his unexpired term. Such appointment shall be made by the President of the Village subject to the approval of a majority of the Board of Trustees.

CHAPTER VI.

Village Collector.

Section 1. VILLAGE CLERK TO BE COLLECTOR. The Village Clerk shall be *ex officio* Village Collector unless some other person shall be appointed to said office by the President, by and with the approval of a majority of the Board of Trustees. All the duties prescribed by law for Village Collectors shall be performed by him; and in addition thereto, he shall perform all the duties prescribed in the following sections of this ordinance.

Section 2. BOOKS TO BE KEPT. The Village Collector shall keep accurate books and accounts, which shall show in detail all receipts and moneys received by him, with the dates and sources, and showing all matters pertaining to his office in a clear and methodical manner, and shall keep such books as the Village Board may from time to time direct. All such books, accounts and papers pertaining to his office shall be kept at the Assembly Hall, or at such other place as shall be designated from time to time by the Village Board, and shall at all times be open to the inspection of the President of the Village, Village Treasurer, and any member of the Board of Trustees and any committee thereof.

Section 3. EXECUTE WARRANTS. Said Collector shall execute all warrants for special assessments and other warwants, which, by law and the ordinances of said Village, may be directed to him, and shall perform such other duties as now are, or may hereafter be, imposed upon him by law or the ordinances of the Village.

Section 4. PAY OVER MONEY WEEKLY. He shall weekly, and oftener if required by the Board of Trustees, pay over to the Village Treasurer all moneys collected by him from any source whatever, taking such Treasurer's receipt therefor.

Section 5. SUBMIT MONTHLY AND ANNUAL REPORTS. He shall upon the first day of each and every month, or oftener if required, submit a report in writing to the Village Board of all moneys collected by him, and the account whereon col-

lected, and any and all matters connected with his office. He shall also annually, between the first and tenth days of May, file with the Village Clerk a statement of all the moneys collected by him during the year, the particuar warrant, special assessment or account on which collected, and the balance of moneys uncollected on all warrants in his hands.

Section 6. PROHIBITED FROM RETAINING MONEY. The Village Collector is hereby expressly prohibited from keeping the moneys of the Village in his hands, or in the hands of any person or corporation, to his use, beyond the time which may be prescribed for the payment of the same to the Village Treasurer, and any violation of this provision will subject him to immediate removal from office.

Section 7. BOND. In case the Village Clerk shall act as Village Collector, under the provisions of this chapter, his bond as such Village Clerk shall be conditioned also to cover the faithful discharge of his duties as such Village Collector and no additional bond shall be required but in case some other person shall be appointed as such Village Collector he shall give a bond in the penal sum of two thousand dollars conditioned for the faithful discharge of his duties as such Village Collector and with such other conditions as the Board of Trustees may require.

CHAPTER VII.

Police Department.

Section 1. DEPARTMENT ESTABLISHED—MEMBERS OF. The President and each member of the Board of Trustees, and such policemen and special policemen as the Board of Trustees may appoint, shall constitute the Police Department for the Village of Kenilworth. The President of the Board of Trustees shall be the head of the Police Department and the Village Marshal shall be Chief of Police.

Section 2. DUTIES OF MEMBERS. It shall be the duty of each member of said Police Department to enforce all ordinances relative to preserving the peace, health, good order and quiet of said Village, and to prosecute all violations of any of the ordinances of said Village.

Section 3. APPOINTMENT OF. The Board of Trustees may from time to time appoint as many policemen and special policemen as they shall deem necessary, who shall hold their offices during the pleasure of said Board, but not exceeding the fiscal year in which such policemen are appointed; and in case of emergency, or in times of peril, danger, riot or pestilence, or apprehension thereof, the President of the Village may appoint special policemen to act, subject to the approval of the Board at its next regular meeting.

Section 4. POLICE TO BE TEMPERATE—DISMISSAL FOR INTOXICATION. No person shall be employed as policeman who is not strictly temperate, and in case any person shall be intoxicated while on duty as a policeman, he shall be dismissed immediately from the force, in the discretion of the Board of Trustees.

Section 5. REPORT CRIMES AND VIOLATIONS OF ORDINANCES. It shall be the duty of all policemen and special policemen to report to the Board of Trustees, at the earliest practicable moment, all crimes committed and all violations of the ordinances of said Village.

Section 6. DUTY TO SERVE WARRANTS. They shall have power and authority and it shall be their duty to serve

and execute warrants and other process for the apprehension and commitment of persons charged with the violation of any Village ordinance or with any crime or misdemeanor or offense against the peace of the Village or State, or for the arrest of persons to be held for examination in connection with any trial or the commission of any crime or misdemeanor or violation of any law or ordinance of the Village.

Section 7. REPORT ALL ACCIDENTS. It shall be the duty of each and every police officer of the Village, whenever any accident shall occur within the municipal limits of which he has or should have notice or knowledge, when there is a possibility of liability of the Village, to report forthwith in writing to the President of the Village, the place, day and nature of the accident; the hour of the day or night when it occurred; the condition of the weather, and, if at night whether cloudy, clear or moonlight, and whether the street lamps near by were or were not lighted; the name of the person injured; the extent and nature of the injury suffered and the names of the witnesses.

Section 8. MAKE ARRESTS AND PREFER CHARGES. They shall arrest all persons found in the act of violating any ordinance of the Village, and shall in all cases of arrest take the person arrested immediatley before the Police Magistrate, or some Justice of the Peace of Cook County, Illinois, and prefer a charge against the party so arrested.

Section 9. DUTY OF CITIZEN TO AID POLICE—PENALTY. It shall be the duty of any person in the Village of Kenilworth, when called upon by any member of the Police Department, to promptly aid and assist him in the discharge of his duties. Any person who shall neglect or refuse to give such aid and assistance, shall be fined not less than five dollars, nor more than one hundred dollars for each and every such offense.

Section 10. RESISTING OFFICER—PENALTY. No person shall resist any member of the Police Department in the discharge of his duty, nor shall in any way interfere with, hinder or prevent him from discharging his duty as a member of such Department; nor shall in any manner assist any person in the custody of any member of the Police Department to escape or attempt to escape from such custody, nor shall rescue or attempt to rescue any person in custody. Any person

violating any provision of this section shall be fined not less than five dollars, nor more than one hundred dollars for each offense.

Section 11. ASSUMING TO ACT AS POLICEMAN—PENALTY. No person, other than a member of the Police Department, shall assume to act as a policeman in any capacity, within the Village of Kenilworth, under penalty of a fine not less than five dollars, and not exceeding one hundred dollars, for each offense.

Section 12. POLICE TO REGULATE TRAFFIC. The members of the police force of said Village shall regulate and direct, when necessary, the travel and movement of all persons, teams, carts, cars, automobiles and vehicles, traveling or going in the public streets or other thoroughfares within said Village, for the purpose of preventing injuries to persons or property and of preserving peace and public order. All persons so traveling or going, or having charge of such teams, horses, carts, cars, automobiles or other vehicles, are required to obey the orders and directions of members of the police force of said Village for the aforesaid purpose, and any person or persons failing or refusing to obey, or resisting any such officer, shall on conviction be fined in a sum not less than five dollars nor more than twenty-five dollars for each offense.

Section 13. NEGLECT OF DUTY BY A POLICEMAN—PENALTY. Any member of the police force who shall neglect or refuse to perform any duty required of him by the ordinances of the Village, by the Chief of Police, or by the President or who shall, in the discharge of his official duties, be guilty of any fraud, extortion, oppression, or wilful wrong or injustice, shall forfeit and pay a penalty not exceeding one hundred dollars for each offense.

Section 14. BADGE OF POLICEMEN. Every member of the Department of Police shall wear a suitable badge, to be furnished by the Village, and any member who shall lose or destroy the same shall be required to pay the cost of replacing it. Whenever any member shall leave the Department he shall immediately deliver his badge and all other articles in his possession belonging to the Village to the Chief of Police.

CHAPTER VIII.

Police Magistrate.

Section 1. ELECTION. There shall be elected for the Village of Kenilworth one Police Magistrate at the regular election of Village officers for the year 1923, and every four years thereafter, with duties prescribed by law.

Section 2. DUTIES. The Police Magistrate, upon receiving any moneys as fines or otherwise belonging to the Village of Kenilworth, shall forthwith turn the same over to the Chief of Police, or the policeman prosecuting the case, for delivery to the Village Treasurer and shall, monthly, on or before the second Monday of each month, make report in writing of all matters prosecuted before him and what disposition was made thereof.

CHAPTER IX.

Fire Department.

Section 1. CREATION OF DEPARTMENT. There is hereby established a Fire Department for the Village of Kenilworth, the equipment of which shall be managed by a voluntary fire company consisting of a Chief of the Department and such volunteer firemen as may be from time to time enrolled upon the list of voluntary firemen.

Section 2. CHIEF OF THE DEPARTMENT. The Chief of Police shall be Fire Marshal or Chief of the Fire Department unless some other appointment is made by the President of the Board and he shall have charge of the equipment and have general charge and direction of the use of same.

Section 3. DUTIES. It shall be the duty of the Chief of the Department and of all members of the Department, when possible, to attend all fires happening within the Village and to use all possible effort to protect the property within the Village from loss or damage by fire. The Chief shall have entire charge of the Department and all other members shall respect his right of direction and control.

Section 4. INVESTIGATE CAUSE OF FIRE. The Chief of the Department shall, as soon as possible after any fire, investigate the cause of such fire and report thereon to the President of the Board.

Section 5. EXAMINE AND REPORT ON APPARATUS. The Chief of the Department shall keep all fire apparatus and equipment under constant inspection and whenever repairs are needed or additional equipment required report the same to the Board of Trustees.

Section 6. PRESCRIBE LIMITS AT FIRE—REMOVE PROPERTY, ETC. The Fire Marshal or other officers in command may prescribe limits in the vicinity of any fire, within which no persons, excepting those who reside therein, firemen, policemen and those admitted by order of any officer of the Fire Department, shall be permitted to go. And he shall have the power to cause the removal of any property

whenever it shall become necessary for the preservation of such property from fire, or to prevent the spreading of fire, or to potect adjoining property.

Section 7. PERSONS AT FIRE TO ASSIST MARSHAL. Every person who shall be present at a fire shall be subject and obedient to the orders of the Fire Marshal and other officers of the Fire Department, and shall aid in extinguishing the fire and in the removal and protection of property when directed to do so by such officer.

Section 8. DRIVING OVER UNPROTECTED HOSE. No wagon, railroad car, or other vehicle, shall be driven over any unprotected hose of the Fire Department of the Village, when laid down on any street or alley by order of the Fire Marshal or other proper officer, without the consent of the Fire Marshal or officer in charge of such hose.

Section 9. PENALTY. Any person who shall violate any of the provisions of this chapter shall be fined, upon conviction thereof, not less than five dollars and not more than one hundred dollars.

CHAPTER X.

Board of Local Improvements.

Section 1. CREATION OF BOARD. That there is hereby established a Board of Local Improvements, which shall consist of the President, who shall be President of said Board, and all the members of the Board of Trustees of the Village of Kenilworth.

Section 2. DUTIES. The Board of Local Improvements shall perform the duties and exercise the powers now or hereafter prescribed by law.

Section 3. CLERK—DUTIES. The Village Clerk shall act as Clerk and Secretary of the Board of Local Improvements and perform such duties as are required of him by law or ordinance. He shall attend all meetings of the Board and keep a record of all proceedings in a book to be provided for that purpose. He shall preserve and file in his office all petitions, resolutions, papers and documents presented to or acted upon by the Board. He shall mail and post all estimates and notices which are requried by law to be mailed or posted by the Board of Local Improvements and shall prepare all reports made by said Board to the Board of Trustees and shall do and perform all other acts and duties required by said Board.

CHAPTER XI.

Village Elections.

Section 1. JUDGES AND POLLING PLACES. Annually, at least twenty days previous to the Village election for Village officers, the Board of Trustees shall designate the place or places in which such election shall be held, and shall appoint three judges and three clerks of election at each voting place in said Village, and it shall be the duty of the Village Clerk, immediately after such appointment, to notify the persons so appointed thereof; and the Clerk shall cause notice to be printed in some newspaper, published in said Village, if there be one, or posted at each voting place in said Village, of the time, places of election and of the officers to be elected, for at least twenty days prior to such election.

Section 2. BLANKS, POLL BOOKS AND BALLOTS. The Village Clerk shall provide, at the expense of the Village, proper blanks, poll books, cards of instruction, ballots and other necessary election blanks for each voting precinct or district in the Village, and cause a suitable number thereof to be delivered to the judges of election.

Section 3. BALLOT BOXES. The Village Clerk, under the direction of the Board of Trustees, shall provide a sufficient number of ballot boxes, with secure locks and keys, at the expense of the Village, for the several precincts and districts. There shall be an opening in the lid of each box not larger than is sufficient to admit a single closed ballot to be inserted therein at one time, through which all ballots voted shall be put into the box.

Section 4. VOTING BOOTHS. The Village Clerk, under the direction of the Board of Trustees, shall provide for each polling place a sufficient number of booths furnished with the supplies and conveniences, and constructed and arranged as required by law.

Section 5. CONTEST OF ELECTION. The election of any trustee or officer may be contested by any elector of the Village of Kenilworth, and the proceedings shall be in accordance with

the general laws of this State regulating the mode of contesting the elections of county officers, so far as the same may be applicable.

Section 6. VILLAGE BOARD TO HEAR CONTESTS. The Village Board of Trustees shall be the tribunal before which such contest shall be heard, and their decision shall be final.

Section 7. CONTESTING PARTY TO FILE STATEMENT. When any person shall desire to contest the right of another to hold the office of trustee or officer, to which such person claims the right, he shall within twenty days after the election, file with the Village Clerk a statement in writing, briefly setting forth the points on which he will contest the election, which statement shall be verified by affidavit.

Section 8. SERVICE OF STATEMENT ON PERSON CLAIMING TO BE ELECTED. Upon filing such statement, said contestant shall also serve a copy thereof upon the person whose election he intends to contest, and in case he is absent, or cannot be found, then by leaving a copy of said statement at the contestee's usual place of residence.

Section 9. TAKING DEPOSITIONS. Whenever said statement shall have been filed and served as aforesaid, it shall be the duty of the Board of Trustees, upon the application of either party, to fix the time and place for taking the depositions of witnesses, when either party may proceed to take the testimony of any witness in the manner and as provided for taking depositions of witnesses, in chancery cases, before any Judge, Justice of the Peace, Master in Chancery, or Notary Public, at the time and place so fixed, and continue the same from day to day thereafter, until all the testimony shall have been taken.

Section 10. PROOFS TO BE FILED WITH VILLAGE CLERK. In all cases of contested elections, the proofs shall be taken, and filed with the Village Clerk as hereinafter provided, within sixty days from the day appointed by the Board of Trustees for taking the same; provided, that the Board of Trustees may, from time to time, upon sufficient cause shown, extend the time for taking and filing said proofs.

Section 11. TESTIMONY LIMITED TO STATEMENT. No testimony shall be taken or produced on the hearing before the Board of Trustees, except upon the points set forth in the

said statement required to be filed with the Village Clerk and served upon the respondent.

Section 12. REFERENCE TO A COMMITTEE. When all the evidence shall have been taken, the same shall be filed forthwith with the Village Clerk, who shall immediately present the same to the Board of Trustees, who shall, without delay, refer the same to some appropriate committee to investigate and report upon; and upon such report being made, the Board of Trustees shall decide the same according to the right of the matter, and shall declare as elected the person who shall appear by the evidence to have been elected. The Board of Trustees may require all the testimony and proofs taken to be read in open meeting of the Board.

Section 13. SPECIAL ELECTION. Whenever it shall appear, in any case, that the person receiving the highest number of votes, is ineligible to the office because of any legal disqualification, it shall, for that reason, be the duty of the Board of Trustees to declare said election null and void, and immediately call a special election to fill said office.

Section 14. OPENING AND COUNTING BALLOTS. In all cases of contested election, the parties shall have the right to have the package or packages of ballots which have been returned to the Village Clerk, as required by law, opened in open session of the Board of Trustees, and then and there counted by a committee of three trustees appointed for that purpose.

CHAPTER XII.

Village Datum.

Section 1. VILLAGE DATUM ESTABLISHED. The base or datum for the Village levels for the Village of Kenilworth shall be, and the same is hereby established at the plane of low water mark of Lake Michigan, in the year 1847, as determined by the Trustees of the Illinois and Michigan Canal, and which plane is located thirty-four and forty-seven hundredths feet (34.47) below the flattened top of a point of rock on the east side of the archway at the northeast corner of the Chicago and Northwestern Railway depot in Kenilworth, Illinois, said point of rock being two and ninety-five hundredths (2.95) feet below the top of the cut stone sill of said archway. All grades hereafter established shall have reference to the base or datum herein fixed.

CHAPTER XIII.

Seal of Village.

Section 1. DESCRIPTION. The corporate seal of the Village of Kenilworth shall be circular in form, and be so constructed as to impress upon paper the word "Seal" in a circle formed by the words "Village of Kenilworth, Incorporated February 4, 1896."

Section 2. CUSTODY AND USE. The said seal shall be and remain in the custody of the Village Clerk of said Village, and his successor in office, to be used by him in all cases, provided for by the ordinances of said Village, or the laws of the State of Illinois; and in all such other cases where, by the laws and customs of any State or Nation, the use of the corporate seal of said Village becomes necessary.

CHAPTER XIV.

Plats and Maps.

Section 1. PLATS TO BE APPROVED BY VILLAGE BOARD—NOT EFFECTIVE UNTIL APPROVED. Any person or persons hereafter subdividing lands, blocks, lots, or sub-lots, or any part thereof, located in the Village of Kenilworth, shall make a map or plat of such subdivision, and before recording the same in the Recorder's office of Cook County, as provided by law, shall submit the same to the Village Board for its approval, and said map or plat shall not be valid or effective until it shall have been approved by the Village Board.

Section 2. REQUISITE OF PLATS. No plat, map or subdivision of any block, lot, sub-lot, or part thereof, or any piece or parcel of land shall be approved by the Village Board until the same shall be properly certified by a surveyor and acknowledged by the owner as provided by the general laws of this State; and until said owner shall make oath that he believes that he is the owner in fee of the property described in said plat.

Section 3. COPY TO BE FILED. Every such person presenting such map or plat for approval shall furnish a complete duplicate thereof which shall be left and kept on file in the office of the Village Clerk.

Section 4. CLERK TO ENDORSE APPROVAL. In the event of approval by the Village Board, the Village Clerk shall endorse on the original and on the duplicate the fact that the same has been approved and shall attach his signature and the corporate seal thereto.

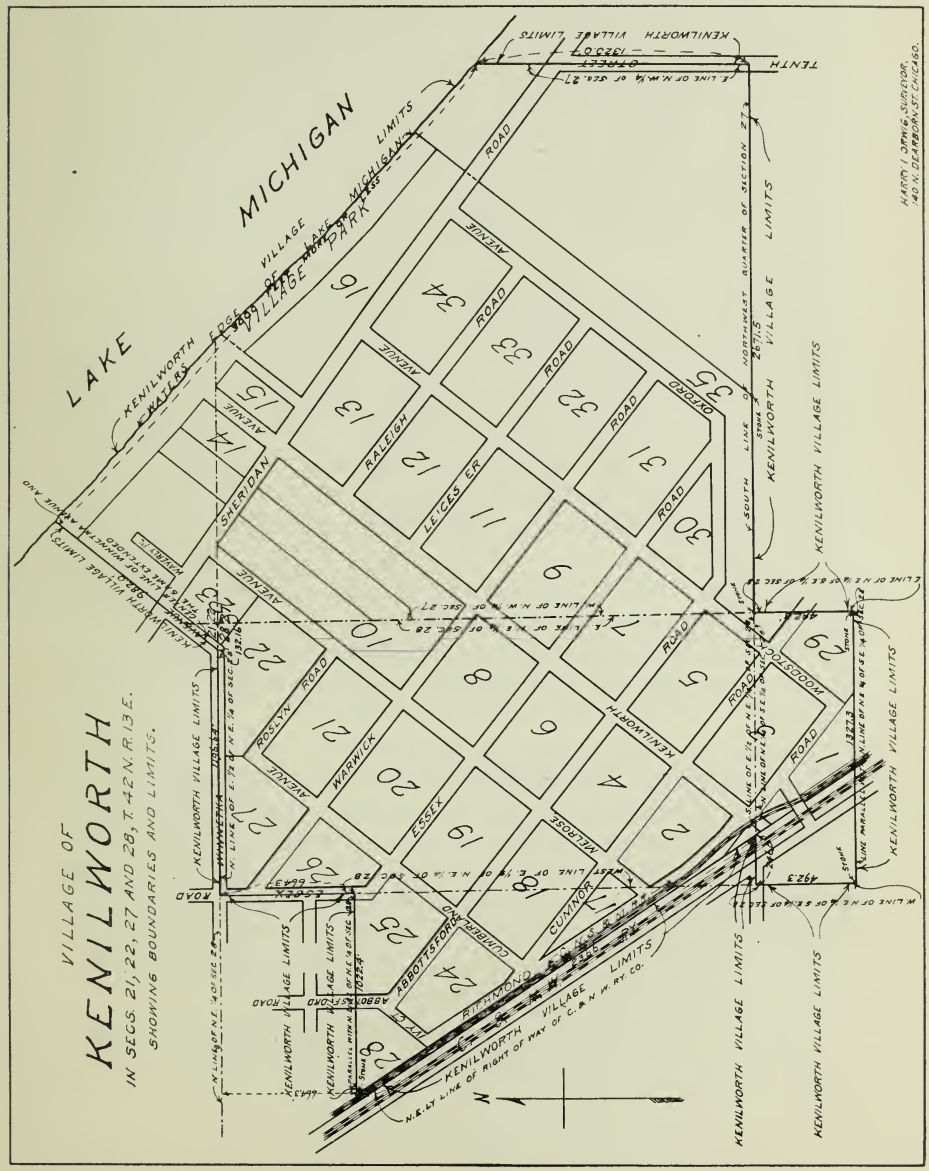
CHAPTER XV.

Village Boundaries.

Section 1. LEGAL BOUNDARIES OF VILLAGE. The Village of Kenilworth extends over and includes those portions of Sections 21, 22, 27 and 28 in Township 42 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois, which lie within the following described boundaries, to-wit:

Beginning at a point on the north line of Section 28, township and range aforesaid, 132.16 feet west of the northeast corner of said section, and running thence northeasterly along the center line and the center line extended of Winnetka Avenue, 982.0 feet to the water's edge of Lake Michigan, thence southeasterly along the water's edge of Lake Michigan, 3,000 feet more or less to the east line of the northwest quarter of Section 27, township and range aforesaid; thence south along the east line of said northwest quarter of Section 27, 1,320.0 feet to the southeast corner of said northwest quarter; thence west along the south line of said northwest quarter 2,671.5 feet to the southwest corner of said northwest quarter; thence south along the east line of the northeast quarter of the southeast quarter of Section 28 aforesaid, 492.3 feet; thence west parallel with the north line of said northeast quarter of southeast quarter, 1,327.3 feet to the west line thereof; thence north along the west line of said northeast quarter of southeast quarter, 492.3 feet to the northwest corner thereof; thence east along the north line of said northeast quarter of southeast quarter, 246.0 feet to the northeasterly line of the right of way of the Chicago and Northwestern Railway Company; thence northwesterly along said northeasterly line of right of way, 2,366.0 feet to a point 664.3 feet south of as measused at right angles to the north line of the northeast quarter of Section 28 aforesaid; thence east parallel with the north line of said northeast quarter, 1,022.4 feet to the west line of the east half of said northeast quarter; thence north along the west line of said east half of northeast quarter, 664.3 feet to the northwest corner thereof; thence east along the north line of said east half of northeast quarter, 1,196.64 feet to the point of beginning.

Section 2. OUTLINE MAP. The following is a true and correct outline map showing the Village limits and bundaries; also the section lines and measurements on boundary lines; also the location and names of streets and location and extent of shore of Lake Michigan adjacent to said Village.



CHAPTER XVI.

Licenses.

Section 1. LICENSES—BY WHOM ISSUED—FEES. In all cases, except where otherwise provided by ordinance, licenses shall be granted by the President of the Village; and all licenses shall be issued to such person or persons as shall comply in all repects with the provisions of the ordinances authorizing the issuance of the same, and who shall be suitable and proper persons to be licensed. A fee of $2.00 shall be charged for all licenses where not otherwise provided by ordinance.

Section 2. HOW ISSUED AND SIGNED. Except as by ordinance otherwise provided, each and every license authorized or required by any ordinance of said Village, shall be issued by the Village Clerk, upon payment to him of the amount of the license fee or tax, as provided by ordinance, and each license shall express for what it is granted and the time it is to continue; and every such license shall be signed by the President and countersigned by the Village Clerk under the corporate seal.

Section 3. TERM OF LICENSE. Except as by ordinance otherwise provided, no license shall be granted at any time for a longer period than one year, and every license shall expire on or before the last day of April next following the issuance thereof.

Section 4. LICENSE SUBJECT TO ORDINANCES—PROSECUTION—REVOCATION OF. All licenses shall be subject to the ordinances and regulations of the Village which may be in force at the time of issuing thereof or during the period covered by such license; and, if any person so licensed shall violate any of the provisions thereof, he shall be liable to be proceeded against for any fine or penalty imposed thereby, and his license may be revoked in the discretion of the President or officer authorized to issue the same.

Section 5. TRANSFER OF LICENSE—HOW AND WHEN—FEES. Any person or persons to whom any license has been

issued under any ordinance of said Village, may, except as otherwise by ordinance provided, with the written consent of the President, or officer authorized to issue the same, assign and transfer the same to any other person or persons, and the person or persons to whom such license shall have been so transferred shall thereupon surrender such license, and a new license, covering the unexpired term of such old license, shall thereupon be issued to such assignee or assignees. Provided, that in all cases the party applying for such new license shall give a bond, in case a bond was required by ordinance for the issuance of such old license, with good and sufficient sureties, in like sum, and to be approved in like manner, as the bond given by such original licensee or licensees. The fee for transferring a license shall be fifty cents, to be paid to the Village Treasurer for the use of said Village.

Section 6. LICENSE FOR PART OF YEAR—FEE FOR—WHO ENTITLED TO. When any license is issued after the beginning of the period for which such licenses are issued in any year, the same shall be issued to the person applying therefor, except as otherwise provided by ordinance, upon his paying for the number of twelfth parts of the sum fixed for a yearly license equal to the number of months which will elapse between the date of the application for the license and the day when said license is made to expire; provided, however, that, in determining the price to be paid, the month in which the application is made shall be counted and included in the number of months to elapse; and provided, further, that no person shall be entitled to the benefit of this section who shall be engaged in the business for which he applies for a license at the time of his application. The minimum charge for part of a year shall be one dollar.

Section 7. LICENSE FEES, FINES, PENALTIES, ETC.—HOW CREDITED. All moneys received by or paid to the Village of Kenilworth, except as otherwise provided, for permits, licenses, fines, or penalties, shall be paid over to the Village Treasurer and shall by him be credited and belong to a fund to be known as the Contingent Fund, except when otherwise required by law.

CHAPTER XVII.

Ordinances.

Section 1. ORDAINING CLAUSE. The ordaining clause of all ordinances passed shall be as follows: "Be it ordained by the President and Board of Trustees of the Village of Kenilworth."

Section 2. RECORDING—VETO. All ordinances passed by the President and Board of Trustees shall, before they take effect, be deposited with the Village Clerk and spread upon the record to be kept for that purpose. If the President of the Board of Trustees approves an ordinance as passed, he shall sign the same and such as he shall not approve he shall return to the Board of Trustees, with his objections thereto, in writing, at the next regular meeting of the Board of Trustees occurring not less than ten days after the passage thereof. Such veto may extend to any one or more items or appropriations, contained in any ordinance making an appropriation, or to the entire ordinance; and in case the veto only extends to a part of such ordinance, the residue thereof shall take effect and be in force. But, in case said President shall fail to return any ordinance, with his objection thereto, by the time aforesaid, he shall be deemed to have approved such ordinance, and the same shall take effect accordingly.

Section 3. PASSING ORDINANCE OVER VETO. Upon the return of any ordinance by said President, the vote by which the same was passed shall be reconsidered by the Board of Trustees; and if, after such reconsideration, two-thirds of all the members elected to the Board of Trustees shall agree, by yeas and nays, to pass the same, it shall go into effect, notwithstanding said President may refuse to give his approval. The vote to pass the same over the President's veto, shall be taken by yeas and nays and entered on the journal.

Section 4. ORDINANCES CREATING LIABILITY AGAINST VILLAGE. The yeas and nays shall be taken upon the passage of all ordinances, and on all propositions to create any liability against the Village, or for the expenditure or ap-

propriation of its money, and in all other cases at the request of any member, a record of which vote shall be entered on the journal of the proceedings of the Board, and the concurrence of a majority of all the members of said Board elected shall be necessary to the passage of any ordinance or proposition creating any liability against the Village, or for the expenditure or appropriation of its money.

Section 5. NUMBERING—PROOF OF PUBLICATION. All ordinances passed by the President and Board of Trustees shall be consecutively numbered, and recorded by the Village Clerk in a book kept for ordinances and resolutions having the effect of ordinances. The original shall be filed in the office of said Clerk, and due proof of publication of all ordinances requiring publication shall be procured by the Clerk, and such proof or affidavit of publication shall be attached to and filed away with said ordinances; and the Clerk shall also note on his said book of ordinances, at the foot of the record of each ordinance, a memorandum of the date of the passage, and if published or posted, of the date of the publication or posting of such ordinance.

Section 6. REPEAL OF REPEALING ORDINANCES. When any ordinance, repealing any former ordinance, clause or provision, shall be itself repealed, such repeal shall not be construed so as to revive such former ordinance, clause or provision, unless it shall be therein so expressly provided.

Section 7. CONSTRUCTION OF WORDS AND PHRASES. The words and phrases following, whenever used in any ordinance, shall be construed as synonymous with any of the other words under the same head whenever it shall be necessary to the proper construction of said ordinances.

First: Action—suit; prosecution; judicial proceedings.

Second: Board—Village Board; Board of Trustees of the Village of Kenilworth.

Third: Court—Justice of the Peace; Police Magistrate; any court of record.

Fourth: He—male; female; company; corporation; firm; society; singular or plural number.

Fifth: Limits—corporation; corporate limits of the Village of Kenilworth; the legal boundary of the Village of Kenilworth.

Sixth: Number—the singular number shall include the plural, and the plural number shall include the singular.

Seventh: Name of officer. The same as though the words "of the Village of Kenilworth" were added.

Eighth: Person—persons; male; female; company; firm; society; singular or plural number.

Ninth: Premises—place; places.

Tenth: President—President of the Village of Kenilworth; President of the Board of Trustees of the Village of Kenilworth; Village President.

Eleventh: Seal—seal of the Village of Kenilworth; corporate seal; seal of the corporation.

Twelfth: Street; alley; highway; lane; avenue; court; thoroughfare; way; parkway; boulevard.

Thirteenth: Tax, taxes—special assessment; special tax; costs; interest or penalty imposed upon property.

Fourteenth: Tense—words in the present tense include the future.

Fifteenth: Village—Village of Kenilworth.

Sixteenth: Village Marshall—police; Chief of Police.

Section 8. WHEN ORDINANCES TAKE EFFECT. All ordinances of the Village imposing any fine, penalty, imprisonment, or forfeiture, or making any appropriation, shall, within one month after they are passed, be published by posting a copy of the same in the room in which the Post Office of said Village is located and two other public places within said Village or otherwise as required by law; and no such ordinance shall take effect until ten days after it is so published. And all other ordinances, orders and resolutions shall take effect from and after their passage, unless otherwise provided therein.

Section 9. EFFECT OF REPEAL. Whenever an ordinance shall be repealed or modified, by a subsequent ordinance, the ordinance or part of ordinance thus repealed or modified shall continue in force until the due publication or posting of the ordinance repealing or modifying the same, when such publication or posting shall be required to give effect thereto, unless therein otherwise expressly provided. But no suit, proceeding, right, fine or penalty, instituted or created, given, secured or

accrued under any ordinance previous to its repeal, shall, in anywise be affected, released or discharged, but may be prosecuted, enjoyed and recovered as fully as if such ordinance had continued in force, unless it shall be therein otherwise expressly provided.

Section 10. MAY ELECT UNDER WHICH ORDINANCE TO PROSECUTE. In all cases when the same offence may be made punishable, or shall be created, by different clauses or sections of the ordinances of said Village, the prosecuting officer may elect under which to proceed; but no more than one recovery shall be had against the same person for the same offense.

Section 11. PENALTY WHEN NONE MENTIONED IN ORDINANCE. Whenever in any ordinance of said Village or in any chapter or section of this code, the doing of an act, or the omission to do any act or duty, is declared to be a breach of such ordinance, chapter or section, or unlawful, or prohibited thereby, and there shall be no fine or penalty declared for such breach, any person, who shall be convicted of such breach, shall be adjudged to pay a fine of not less than two dollars nor more than two hundred dollars.

Section 12. ACTING PRESIDENT. Whenever any power shall be vested in the President of the Village, or he shall be required to do any act or perform any executive function, it shall be the duty of the acting President of the Village, in his absence, to exercise such power and perform such act or executive function as fully as if especially named in the ordinance, unless it shall be therein otherwise expressly provided.

Section 13. WHEN ORDINANCE MAY BE PASSED. All ordinances introduced may be passed by the Board of Trustees at the meeting at which they are introduced, provided, however, that upon demand of any two trustees present, the consideration of the ordinance shall be postponed until the next meeting of the Board, either regular or special, and which meeting shall occur not less than ten days from the date of the meeting at which the ordinance was originally introduced.

CHAPTER XVIII.

Bonds.

Section 1. QUALIFICATION OF SURETIES. All bonds required to be furnished to the Village of Kenilworth by any of its officers or employees under the provisions of the laws of the State of Illinois or under the ordinances of said Village, or any of them, shall be signed by such officer or employee and by at least two good and sufficient sureties residing in Cook County, Illinois, which sureties shall each schedule and list with said bond, real estate owned by him in Cook County, Illinois, of the net value of at least double the amount of such bond, over and above any and all encumbrances thereon, such encumbrance to be not more than half the value of such real estate.

Section 2. SURETY COMPANY BONDS. In case any such officer or employee shall elect to furnish a Surety Company bond in lieu of that specified in the foregoing section he may do so and such Surety Company, in such case, will be the only surety required and if such Surety Company has complied with the laws of the State of Illinois with respect to qualifying to engage in the surety business in Illinois no schedule of property, as specified in the preceding section, shall be required.

Section 3. PREMIUM ON BOND. When any such officer or employee shall elect to furnish such Surety Company bond the premium for the same shall be paid by the Village and the bill therefor shall be rendered to the Village direct.

Section 4. CONDITIONS OF BONDS. All official bonds of officers and employees of the Village shall be conditioned as required by the laws of the State of Illinois and the ordinances of the Village of Kenilworth but in all events for the faithful performance of the duties of such officer or employee under the laws of the State and the ordinances of the Village and the faithful care and preservation of all property of the Village which may come into his possession or under his control. The Board of Trustees may, from time to time, direct other and additional conditions for such official bonds and may at any time require a new bond if they find any official bond to be insufficient for any reason under the existing circumstances.

Section 5. OTHER BONDS. All other bonds, such as those which may be required from contractors or persons licensed to conduct business in said Village and general indemnity bonds which the Board of Trustees may direct or the general laws of the State or ordinances of the Village may require shall be conditioned as the circumstances may warrant or the Board of Trustees direct or accept and shall be signed by individual sureties or a Surety Company with qualifications as set forth in this chapter but the premium charge shall not be borne by the Village unless specifically so ordered by the Board of Trustees.

Section 6. BONDS TO BE APPROVED. All bonds shall be subject to the approval of the Board of Trustees, both as to the form of the bond and the surety, whether the surety be individuals or a Surety Company authorized to engage in business in Illinois.

CHAPTER XIX.

Building Code.

Section 1. PURPOSE OF CHAPTER. The purpose of this chapter is to establish rules and regulations for constructing, erecting, enlarging, remodeling, altering, repairing, raising, lowering, underpinning or moving buildings, and to regulate the location, equipment, use and occupancy thereof, in order to promote public health and safety and to do substantial justice.

Section 2. APPLICATION OF CHAPTER. This chapter shall apply to all buildings, structures, or portions thereof, in the said Village of Kenilworth and the Village Board, through the Public Service and Building Committee hereinafter referred to as the "Building Committee," shall have general charge and supervision of the erection, construction, alteration, repair, removal and inspection of all buildings, walls, structures, or portions thereof, within the Village, and shall enforce all ordinances relating thereto.

PERMITS.

Section 3. PERMIT REQUIRED FOR BUILDING OPERATIONS. It is hereby declared unlawful for any person, firm or corporation to commence or to perform any work in connection with the construction, erection, enlargement, remodeling, altering, repairing, raising, lowering, underpinning or moving of any building, structure or portion thereof, for which a permit is required by the building code, without having first made application to and secured from the Village Clerk the necessary permit therefor.

Section 4. PERMIT WAIVED FOR ORDINARY REPAIRS. A permit will not be demanded for ordinary repair work incidental to the upkeep of a building or structure; provided there is not contemplated, or involved, the removal, or installing of any external wall; nor the removal of any supporting wall, column, post, truss, girder or beam; nor installing, closing or changing any stair, stair-hall, fire escape, scuttle, skylight, door, window, or other means of communication, ingress,

egress, ventilation or for the admission of sunlight; nor changing the number, location or connections of the fixtures, traps, vents, waste, soil, or drain pipes of the plumbing system; nor changing the number, location or connections of the fixtures of the lighting system; nor changing to a different system of heating, lighting, or ventilating. But nothing in this section contained shall be interpreted or construed to allow any work included in the permit exemptions thereof, to be done in any manner contrary to the requirements of the building code and other ordinances of the Village.

Section 5. DURATION OF PERMIT. Any building permit issued, and under which no work is commenced within six months from the date of issuance thereof, shall expire by limitation; and unless such permit is surrendered within two months after its expiration, for such cause, the fees paid therefor shall be forfeited to the Village. A cessation of work for more than three months continuously shall have the same effect in terminating building permits as a failure to begin work.

Section 6. EXTENSION OF PERMIT. Upon payment of ten cents per month on each thousand dollars of the cost on which the original permit was granted, building permits for work costing more than thirty thousand dollars may be once extended for a period not exceeding three months.

Section 7. WHEN PERMIT IS TO BE ISSUED. Permits authorized to be issued and required to be obtained under building code shall be promptly issued when the application, approval of plans, filing of frontage consents (if any required) and giving of notices are all completed as in the Village ordinances provided.

Section 8. WHEN PERMIT IS VALID. No permit for constructing, erecting, enlarging, remodeling, altering, repairing, raising, lowering, underpinning, moving or wrecking buildings, structures or portions thereof, or any permit for which a fee is prescribed by the Village ordinances shall be in force until the fees prescribed therefor shall have been paid to the Village Clerk.

Section 9. APPLICATION FOR PERMIT. When any person, firm, or corporation shall be desirous of constructing, erecting, enlarging, remodeling, repairing, raising, underpinning or moving any building, structure or portion thereof, for

which work a permit is required by the ordinances, he or they shall make written application to the Village Clerk upon blank forms furnished by the Village for a permit for such purpose. Such application shall be accompanied by the plans required by this code and shall set forth the location of the proposed work; the purpose for which the building or structure is designed to be used; the length, width and height thereof; number of rooms and stories; whether basement or attic are contained therein; the number of plumbing fixtures specified; the method or system by which the building or structure is to be heated, lighted and ventilated; the estimated cost of the work proposed to be done under the permit sought; the name and address of the owner, his agent and architect, if any; and if contracts for the work have been let, the names of the general contractors and sub-contractors, such as mason, carpenter, sewer builder, plumber, electrician, etc. The aforesaid application shall be kept permanently on file in the office of the Village Clerk. Said application, if demanded by the Chairman of the Building Committee, shall be accompanied by the specifications for the proposed building and by an agreement to be signed by the owner, his agent, or architect, conditioned that he will, if granted the permit sought, construct the work in accordance with the description set forth in the application and plans aforesaid; and that all general and detail work connected with such erection, construction, alteration or repair of any such building, structure, or part thereof, as the case may be, shall be done in strict compliance with the ordinances of said Village and the provisions of such permit.

Section 10. WHEN NO PLANS REQUIRED. Permits may be issued for the erection of sheds or small one-story buildings upon the description given in the application and not accompanied by drawings, and this shall apply also to alterations and repairs of buildings whenever, in the judgment of the Chairman of the Building Committee, drawings are not necessary to show the full character of the work to be done.

Section 11. PLANS AND SPECIFICATIONS TO BE FILED IN DUPLICATE. The number of drawings required to be submitted shall be duplicate sets of the architect's general drawings.

Section 12. PLANS—ESSENTIAL REQUIREMENTS. All plans and drawings shall be drawn to a scale of not less than one-eighth of an inch to the foot, on paper or cloth in ink, or

by some process that will not fade or obliterate. All distances and dimensions shall be accurately figured and drawings made explicit and complete, showing the front and side lot lines and the entire sewerage and drain pipes and the location of all plumbing fixtures within such building.

Section 13. PLANS AND SPECIFICATIONS TO BE APPROVED AND STAMPED. All plans shall be approved of by the Chairman of the Building Committee after which one set of the stamped plans shall be returned to the applicant.

Section 14. PLANS MUST BE SIGNED AND SEALED AS REQUIRED BY LAW. No permit shall be granted or plans approved unless such plans are signed by the owner or signed and sealed by a licensed architect, as provided in "An act to provide for the licensing of architects and regulating the practice of architecture as a profession in the state of Illinois," approved June 3, 1897, as the same has been subsequently amended.

Section 15. ARCHITECT—MUST CERTIFY THAT PLANS COMPLY WITH BUILDING ORDINANCES. It shall be unlawful for any architect or other person permitted under the state law to prepare plans, to prepare and submit for approval any final plans for any building or structure which do not comply with structural requirements of this code. The Chairman of the Building Committee may require that all final plans submitted for approval of any building or structure shall be accompanied by a certificate of such architect or such other person preparing plans that the plans and specifications submitted comply with the structural requirements of this code.

Section 16. AMOUNT OF PERMIT FEES. The permit fees shall be paid to the Village Collector and the fee to be charged for a permit to construct, erect, enlarge, remodel, alter or repair any wall, structure, building or part thereof shall be one dollar, plus one-tenth of one per cent. of the estimated total cost of the material and labor required for the proposed work. For the purpose of determining the fees, the estimated cost shall be determined by the Chairman of the Building Committee, who may accept an estimate furnished him by the applicant for the permit or may require a certificate from a licensed architect or an affidavit from the owner or his agent of the total cost of the proposed work.

OCCUPATION OF STREETS.

Section 17. PERMIT REQUIRED. It shall be unlawful for any person, firm or corporation to deposit or store on the roadway or sidewalk space of any street or highway, building materials or any fuel or other supplies for any building or structure in course of being constructed, altered or repaired, unless a street obstruction permit from the Village Clerk is obtained prior to the act.

Section 18. APPLICATION FOR PERMIT. All applications for street obstruction permits shall be made to the Village Clerk and shall describe the location of the sidewalk, street or roadway proposed to be occupied, the use to be made of same and the length of time of such intended occupation. A street obstruction permit shall be issued to the applicant, provided he has complied with all the provisions of the ordinances as to bonds, fees and all other requisites in connection with such permit.

Section 19. LIMIT OF OCCUPATION AS TO TIME. The permission to occupy streets and sidewalks for the purpose of building is intended only for imperative use in connection with the actual erection, repair, alteration, wrecking or removal of buildings, and it shall be unlawful to occupy any sidewalk or street after the completion of the operation for which a permit has been issued or for the storage of articles not intended for immediate use in connection with the operation for which such permit has been issued.

Section 20. LIMIT OF OCCUPATION AS TO SPACE. The occupation of a street or highway for the storage of building material, including temporary sidewalks, for any one building, shall never extend more than one-third of the way across the street or highway (measured from lot line to lot line), nor to a greater extent than authorized by the Chairman of the Building Committee.

It shall not be lawful to occupy with building material any street or sidewalk or any part thereof other than immediately in front of the lot or land upon which the building is being erected; provided, that if the written consent of the owners, tenants or occupants of properties adjoining the site of any proposed building is first obtained and filed with the Village Clerk, the occupation of the roadway and sidewalk may be extended in front of the property so consenting, upon the same

terms and conditions as those herein fixed for the occupation of the street in front of the building site. During the progress of building operations, a sidewalk not less than six feet in width (or an equal width of a clean, hard, paved, roadway, available and made safe for a footway) shall at all times be kept open, clean, and unobstructed for the purpose and uses of a passageway in front of such lot or lots. It is not intended hereby to prohibit the maintenance of a driveway for the delivery of material across such sidewalk from the curb line to the building site; but such driveway shall conform to the directions of the Chairman of the Building Committee.

Section 21. GUTTERS, HYDRANTS, ETC., MUST BE KEPT CLEAR. Materials, fences or sheds shall not be placed within two feet of any tree, nor so as to render inaccessible any valve chamber, manhole, fire-hydrant or catch basin. All gutters shall be kept free and clear at all times. Mortar boxes or beds shall be so placed and guarded as to protect the clothing of persons passing, and shall be promptly removed from any street, sidewalk, alley or public way on order of the Chairman of the Building Committee or the Chief of Police.

Section 22. PROTECTION OF TREES. It shall be unlawful for any person, firm or corporation to bruise, bend, break, cut, saw or in anywise mutilate or otherwise injure or damage any tree or shrubbery, or the roots or branches thereof planted in and along any street, public highway or place in the Village of Kenilworth, without first obtaining the consent of the Chairman of the Building Committee.

Section 23. RED LANTERNS. Sufficient red lights shall be displayed and maintained during the whole of every night at each excavation, pile of material, fence or any other obstruction on any public highway, to so cast their rays that each excavation, pile of material, fence or other obstruction shall be in full view of the public. Whoever maliciously or wantonly, and without legal cause, removes, extinguishes, diminishes or disturbs a light so placed shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than ten dollars nor more than one hundred dollars.

Section 24. RESTORATION OF STREETS AND SIDEWALKS. Whenever any street, alley or sidewalk is damaged in the erection or alteration of any building abutting thereon or through the obstruction thereof, the same shall be re-

stored by or at the expense of the owner of the building involved, or his contractor, to a condition as good and serviceable as prior to the beginning of the work.

Section 25. BOND. Before the Village Clerk shall issue a street obstruction permit, the applicant for such permit shall file with the Village Clerk, on a form to be furnished by the Village and approved by the Village Attorney, a bond in the penal sum of five thousand dollars with surety to be approved by the Chairman of the Building Committee and conditioned to indemnify, save and keep harmless the Village of Kenilworth from any and all loss, costs, expense or liability of any kind whatsoever which said Village may suffer or be put to, or which may be recovered from it by reason of the issuance of such permit, or by reason of any act or thing done, or neglected to be done under or by virtue of the authority given in such permit. An annual bond may be given to cover street obstruction permits.

Section 26. STREET OBSTRUCTION PERMIT—FEE. The fee to be paid to the Village Clerk for a street obstruction permit desired in connection with any work governed by the building code shall be $1.00 plus one-tenth of the fee (if any) required by said code to be paid for the regular permit authorizing the work so governed.

QUALITY OF MATERIALS.

Section 27. STRUCTURAL MATERIAL QUALITY. Structural materials hereafter used for building purposes in the Village of Kenilworth shall be of a quality in all respects suitable for the purpose for which they are employed. Each material must be free from imperfections of a nature that seriously impairs its strength or durability.

Section 28. TESTS MAY BE REQUIRED. The Chairman of the Building Committee may require tests to be made and reported to him by competent persons employing standard equipment and methods on the strength, durability, fire-resistance and other essential qualifications of structural materials proposed or desired to be used in building operations in the Village of Kenilworth. Such tests shall be made at the expense of the person or persons desiring to introduce or use the material in question. Materials so tested that are found to be below safe and usual standards of the building trade shall be rejected. The quality of the materials if used in building

operations governed by the building code shall be equal to the specifications set forth in the following sections.

Section 29. BRICK. Brick shall be well burned and hard. When old brick are used, they shall be thoroughly cleaned before being used and shall be whole and good, hard, well-burned brick. No soft brick shall be used in any part of a building exposed to the weather, nor in any external or internal piers or bearing walls. When the season will permit, brick shall be wet with water before using.

Section 30. HOLLOW BRICK AND BUILDING TILE. Hollow brick and building tile shall be made from shale or fire clay burned to such a degree of hardness that they will absorb not more than ten per cent. of their weight of water. They shall be free from any injurious checks or cracks or other defects that render them unfit for building purposes.

Section 31. STONE. Stone shall be sound and hard and of sufficient strength and dimension for its intended use. Stone for foundation walls shall be of good size, free from clay and loose formations and where used for footing courses shall be not less than six inches thick. Stone for bearing blocks and plinths under posts and columns and under girder bearings shall be well seasoned, hard stone, of a size proportionate to the superimposed load.

Section 32. SAND. Sand shall be clean, sharp, coarse grained, free from loam, organic matter, or other deleterious matter that would unfit it for use in building work.

Section 33. CEMENT. All natural and Portland cement shall be of a quality that will successfully pass the standard tests specified by the American Society for Testing Materials. The Chairman of the Building Committee may require such standard tests to be made and certified copies thereof to be furnished to him for examination.

Section 34. LIME. Lime shall be fresh burned quick lime, of good quality, and well slaked before using. Hydrated lime will be accepted in all cases where quick lime is permitted.

Section 35. MORTAR FOR PLASTERING. Mortar for plastering shall be made as follows: The lime shall be slaked, made into putty, and cooled before putting in the hair which must be well separated. One bushel of hair will be required for every three barrels of putty; one and one-half barrels of

sand to one barrel of putty may be mixed for the first or scratch coat, after being thoroughly mixed as above. The said mixture must be slaked for at least three days before using. The said mortar shall be used on lath surfaces with a second coat of mortar in which two and one-half barrels of sand to one barrel of putty, and less hair, may be used.

Section 36. MORTAR FOR MASONRY. Mortar for masonry work shall be of a mixture not leaner than the following proportions by volume when used under the conditions stated, the amount of sand noted being the maximum allowed, to-wit:

Conditions.	Case.	Proportions.
Below water	No. 1	1 part of Portland cement
		2 parts of sand
Below grade	No. 2	1 part of Portland cement
		3 parts of sand
Above grade—		1 part of Portland cement
Cement mortar	No. 3	3 parts of sand
	No. 3	1 part of Natural cement
		2 parts of sand
Lime and cement	No. 4	1 part of Portland cement
mortar		1 part of lime
		6 parts of sand
	No. 4	1 part of Natural cement
		1 part of lime
		5 parts of sand
Lime motar	No. 5	1 part of lime
		4 parts of sand

The cement and sand shall be measured and shall be thoroughly mixed before adding water. The cement and sand must be of the quality required by this code. All mortar must be used before initial set occurs and must be properly protected against injury by the elements or otherwise.

Section 37. CONCRETE AGGREGATES. The aggregate for all concrete shall consist of clean gravel, hard broken stone or slag, or similar materials free from dust. The aggregate for plain concrete shall be of such a size that the extreme dimensions shall not exceed two inches, and that used for reinforced concrete of any description shall be of such a size that the extreme dimension shall not exceed one inch, and in

each only such material shall be used as is retained on a screen of one-quarter inch mesh.

Section 38. PROPORTION OF PLAIN CONCRETE. The proportions of materials for plain concrete shall be as follows: Not less than one part of Portland cement to three parts of sand, and five parts of either broken stone, slag or gravel. The materials named shall be thoroughly mixed with sufficient clean water to produce the consistency and plasticity required for the work. All concrete shall be used immediately after being mixed, and the materials shall be measured and proportioned by volume.

Section 39. REINFORCED CONCRETE. The quality and proportions of mix and methods of placing reinforced concrete shall be as elsewhere in this code provided.

Section 40. TIMBER. All timbers and wood used in buildings shall be of good, sound material, free from rot, large and loose knots, shakes, or any other imperfections whereby the strength may be impaired to such extent as to render same unfit for the purpose intended; and they shall be of such size and dimensions as the purposes of the building or structure and the loads to be superimposed require.

Section 41. STEEL, WROUGHT OR CAST IRON. All steel, wrought or cast iron used in buildings as regards quality, requirements of tests, workmanship in assemblage and interconnections of shapes shall be in accordance with the standard specifications of the Association of American Steel Manufactures and as given in the Hand Books of the respective standard manufacturers.

EXCAVATIONS AND FOUNDATIONS.

Section 42. EXCAVATIONS TO BE PROPERLY GUARDED. All excavations for buildings or other purposes shall be properly guarded and protected by the person, firm or corporation causing them to be made, so as to prevent the same becoming dangerous to life and limb, and shall be sheet piled where necessary, to prevent the adjoining earth from caving in by reason of its own weight.

Section 43. FOUNDATIONS—HOW PORPORTIONED. Foundation footings of buildings shall be proportioned to the actual average loads they will have to carry in the completed

and occupied building, and not the theoretical or occasional loads. The breadth of the footings of the several parts of any building shall be proportioned so that, as nearly as possible, the pressure shall be equal on each square foot of footing, or foundation, and shall not exceed that hereinafter provided for.

Section 44. FOUNDATIONS—HOW CONSTRUCTED. Foundation walls, piers or footings for buildings may be constructed of either of the following: Portland cement concrete; dimension or rubble stone, vitrified tile, sewer or paving brick laid in Portland cement mortar; concrete, iron, steel or timber piles. If the footing or base course be of concrete, the concrete shall not be less than ten inches thick. If of stone the stone shall not be less than two by three feet, and at least eight inches in thickness for walls, and not less than ten inches in thickness if under piers, columns or posts. The footing or base course, whether formed of concrete or stone, shall be at least twelve inches wider than the bottom width of walls and at least twelve inches wider on all sides than the bottom width of piers, columns or posts. If the superimposed load is such as to cause undue transverse strain on a footing projecting twelve inches, the thickness of such footing is to be increased so as to carry the load with safety. For small structures and for small piers sustaining light loads, the Chairman of the Building Committee may, in his discretion, allow a reduction in the thickness and projection for footing or base courses herein specified. If stepped-up footings of brick are used, the offsets, if laid in single courses, shall each not exceed one and one-half inches, or if laid in double courses, then each shall not exceed three inches, offsetting the first course of brickwork back one-half the thickness of the concrete base, so as to properly distribute the load to be imposed thereon.

Section 45. FOUNDATION WALLS—WATERPROOFING. The walls of cellars or basements below the grade must be protected from dampness by an exterior coating of Portland cement mortar, or by hot asphalt, tar or other standard waterproof material. The floors of all cellars and basements shall be concreted not less than four inches thick. The cellar or basement shall be protected from dampness with drain tiles or otherwise. When wood floors are to be laid in cellars or basements, the sleepers shall be laid on top of the concrete.

CLASSIFICATION OF BUILDINGS.

Section 46. BUILDINGS—CLASSIFICATION OF. All buildings other than sheds and shelter sheds as hereafter described, now existing or hereafter erected, altered or enlarged shall be classified as follows:

Class I. In Class I shall be included every building as described in this code, used for the sale, storage or manufacture of merchandise, and every stable or garage having a ground area of five hundred square feet or over.

Class II. In Class II shall be included every detached dwelling used as a residence for not to exceed one family; also every building used for stabling or garage purposes and having a ground area of less than five hundred square feet.

Section 47. BUILDINGS NOT WITHIN ABOVE CLASSES. Whenever any application shall be made for a permit for constructing, erecting, enlarging, remodeling, altering, repairing, raising, lowering, underpinning or moving any building within the Village of Kenilworth which does not clearly come within one of the two classes above defined, before a permit shall be issued or work shall be begun thereon, said application shall be referred to the Village Board in order that additional and suitable rules and regulations may be established by said Village Board to be applicable to the class of building proposed to be covered by such permit which additional rules and regulations, when so established, shall govern the subject of said permit, if and when granted and issued, the same as though such additional rules and regulations had been established prior to the making of such application.

Section 48. CONFLICT BETWEEN SPECIAL AND GENERAL PROVISIONS. Whenever any provision or requirement of this chapter relating specifically to the construction, equipment, maintenance or operation of any building or part of a building used for the purposes of any specified class shall conflict with the general provisions of this chapter relating to the construction, equipment, maintenance and operation of buildings generally, the special provisions shall govern in each case, except in the case of alterations of existing buildings as specified under "General Provisions" in this chapter.

BUILDINGS OF CLASS I.

Section 49. MUST COMPLY WITH GENERAL AND SPECIAL PROVISIONS. Every building of Class I shall comply with the general provisions of this chapter, and shall, in addition, comply with the following special provisions.

Section 50. CONSTRUCTION OF BUILDINGS IN RELATION TO HEIGHT. The construction of buildings of Class I shall be as follows: Buildings of Class I shall not exceed 40 feet in height and shall be of ordinary construction at least.

Section 51. DOOR OPENINGS. The aggregate width of door openings at the street level in buildings of Class I shall be equal to the aggregate width of stairways, as specified in the provisions of this code entitled "Stairways."

Section 52. FIRE WALLS. Buildings occupied by more than one person, firm or corporation, or for more than one business enterprise conducted by the same person, firm or corporation, in separate enclosures on any one floor, shall have a brick or tile dividing wall for every fifty feet of street frontage, if of ordinary construction, or for every eighty feet of street frontage if of slow-burning, and such dividing walls shall extend from the front to the rear wall and such dividing walls and the doors therein shall be built in accordance with the provisions of this code entitled "General Provisions." All of the partitions between the parts of such buildings occupied by different persons, firms or corporations shall be built of incombustible material from the floor to the floor boards or roof boards next above such story or stories so occupied. Only metal framed windows glazed with one-quarter inch thick wire glass may be used in such partitions.

Section 53. DIVIDING WALLS—WHEN REQUIRED. Every building of ordinary construction having greater area than 6,000 square feet shall be divided into areas of 6,000 square feet or less by dividing walls; every building of slow-burning or mill construction more than one story in height, having a floor area greater than 10,000 square feet, shall be divided into areas of 10,000 square feet or less by dividing walls; every fireproof building more than two stories in height having a floor area greater than 20,000 square feet shall be divided into areas of 20,000 square feet or less by dividing walls. Where dividing walls are required in any of the above mentioned buildings, such building shall be subdivided by

brick walls, built of the thickness given in the table for the thickness of enclosing walls and all door or other openings in such walls shall have at each side of the same iron doors, tin clad doors or shutters, as described in the provisions of this code entitled "General Provisions." Said buildings as subdivided shall be provided with stairs and fire escapes the same as hereinafter required; provided, however, that one-story buildings of ordinary, mill or slow-burning construction and two-story buildings of fireproof construction of any size when used as one store, room or workshop and occupied by only one person, firm or corporation, may be erected without any dividing walls.

Section 54. LIVE LOADS FOR FLOORS. The floors of all buildings of Class I hereafter erected shall be designed and constructed in such a manner as to be capable of bearing, in addition to the weight of floor construction, partitions, permanent fixtures and mechanisms that may be set upon the same, a live load of one hundred pounds for every square foot of surface, and the strength of such building shall be increased above the capacity to carry such a live load of one hundred pounds per square foot of floor surface, when the uses to which such building, or part thereof, is to be applied, involve greater stress. The calculations and loads shall be in accordance with the provisions of this chapter. In every building of Class I now constructed and in use, whenever it shall be found by the Chairman of the Building Committee that the floors of same, or any part or parts thereof, are not capable of bearing, in addition to the weight of the floor construction, partitions, permanent fixtures and mechanisms that may be upon the same, a live load of one hundred pounds for every square foot of surface, he shall condemn the same and order such floor or floors to be repaired or reconstructed within a reasonable time by the owner or occupant thereof, and shall proceed in the manner prescribed in this code. It shall be unlawful for the owner or occupant to continue to use such building until the said floors shall be repaired or reconstructed in accordance herewith.

BUILDINGS OF CLASS II.

Section 55. MUST COMPLY WITH GENERAL AND SPECIAL PROVISIONS. Every building of Class II shall comply with the provisions of this code, and, in addition to the gen-

eral provisions, shall comply with the following special provisions:

Section 56. BUILDINGS—CONSTRUCTION OF—HEIGHT OF. Buildings of Class II shall not exceed thirty-five feet nor exceed two stories, basement and attic in height and may be frame construction.

Section 57. ALLOWANCE OF LIVE LOADS IN CONSTRUCTION OF FLOORS. In every building of Class II the floors shall be designed and constructed in such manner as to be capable of bearing in all their parts, in addition to the weight of the floor construction, partitions, permanent fixtures and mechanisms that may be set upon the same, a live load of forty pounds for every square foot of surface.

Section 58. HABITABLE ROOMS—DEFINITION. For the purposes of this code the term "habitable room" shall be held to include every room in every building of Class II, and every room in buildings of other classes if such rooms are used for the purposes of Class II, in which a family or the individual members thereof regularly sleep or eat or carry on their usual domestic or social vocations or avocations. Laundries, bath rooms, water closet compartments, serving and storage pantries, storage rooms and closets, boiler and machinery rooms, cellars, corridors and similar spaces shall not be deemed as coming within the scope of this term.

Section 59. REQUIREMENTS AS TO SIZE AND VENTILATION. In every building hereafter erected for or converted to the purposes of Class II, every habitable room shall have a window or windows with a total glass area equal to at least one-tenth of its floor area, opening upon a street, alley or yard. None of such required windows shall have a glass area of less than ten square feet; and each such window shall have its top not less than six feet above the floor and shall be so constructed that at least its upper half may be opened its full width. No such habitable room shall have a floor area of less than eighty square feet, nor a clear height from floor to ceiling of less than eight feet and six inches, provided that attic rooms need not be eight feet and six inches high for more than one-half of their area, and that such attic rooms shall have total cubic contents of not less than seven hundred and fifty cubic feet each.

Section 60. CHANGING EXISTING ROOMS. No living room shall be partitioned off or constructed in any existing building or portion thereof until a permit for such partitioning or constructing has been obtained from the Chairman of the Building Committee and the Commissioner of Health; and every room so partitioned off or constructed shall comply with all the requirements for habitable rooms as contained in this section.

Section 61. NO LIVING ROOMS PERMITTED IN BASEMENTS. No living room shall be constructed, altered, converted or occupied for living or sleeping purposes in the basement of any building of Class II.

Section 62. PANTRIES, BATH ROOMS—REQUIREMENTS IN RELATION THERETO. In every building hereafter erected for or converted to the purposes of Class II, every pantry or bath room shall have at least one window with a glass area of at least six square feet and a minimum width of at least one foot opening upon a street, alley, or yard, or upon a vent shaft not less in area than said window; and no habitable room shall open into or connect with a vent shaft thus used.

GENERAL PROVISIONS.

Section 63. CONSTRUCTION OR ALTERATION OF BUILDING—REQUIREMENTS. Every building or structure or part thereof hereafter constructed, erected, enlarged, remodeled, altered, repaired, raised, lowered, underpinned, or moved shall be so constructed, erected, enlarged, remodeled, altered, repaired, raised, lowered, underpinned, or moved in accordance with the provisions of this code.

Section 64. CLASS OF BUILDINGS NOT TO BE CHANGED WITHOUT CONFORMING TO PROVISIONS OF THIS CODE. If buildings, the uses of which bring them within either of the classes mentioned in this code, are to be applied to the uses of the other class for which a different system of construction is required by this code, the construction and equipment of such buildings shall first be made to conform to the requirements of this code as specified for their intended use. And it shall be unlawful to use any such building for a new or different purpose from that to which its structure and equipment adapts it under this code, unless the requirements of this code for such new or different use shall first have been

complied with, and a permit for such alteration or use shall have been first obtained. If, however, it is desired to enlarge or in any manner materially modify the construction of any existing building, or to make a change in its use or occupation which will transfer it from one class as recognized by this code to another class, then, before such enlargement or structural change or modification of building is made, or before such change in its use or occupation may be made, written notice shall be given to the Village Clerk of the intention to change the character of the use, and the entire building shall be reconstructed or modified in such manner as to bring the same, when enlarged or altered, or when occupied for its new and different purposes, into compliance with the provisions of this code.

Section 65. DEAD LOADS—LIVE LOADS. The "dead load" shall include all permanent portions of the building, also partitions and permanent fixtures and mechanisms supported by the building. The roofs of all buildings shall be designed and constructed in such a manner that they will bear a load in addition to the weight of their structure and covering of at least twenty-five pounds for each square foot of horizontal surface. The live loads on stairways for all buildings shall not be less than one hundred pounds per square foot of treads and landings.

Section 66. STRUCTURAL DETAILS — STRENGTH TESTS—HOW MADE. All structural details and workmanship shall be in accordance with accepted engineering practice. Floors, joists and beams shall be designed for the full dead and live loads. Floor girders shall be designed for the full dead and not less than eighty-five per cent. of the live load. In buildings of Class II, except frame buildings, where the distance between enclosing walls or intermediate walls is more than twenty-five feet in the clear, intermediate supports for the joists shall be either brick, or concrete, or iron, or steel columns, beams, trusses or girders. If brick walls are used for this purpose, they may, in all cases where the thickness of walls is given, in this code, as sixteen inches or more, be made four inches less in thickness than the dimensions stated.

Section 67. WALLS, PIERS AND COLUMNS—DEAD AND LIVE LOADS. The full live load on roofs of all buildings shall be taken on walls, piers and columns. The walls, piers

and columns of all buildings shall be designed to carry the full dead loads and not less than the percentage of the live load given in the following table:

Floor	3	2	1
3	85		
2	80	85	
1	75	80	85

The entire dead load and the percentage of live load on basement columns, piers and walls shall be taken in determining the stress in foundations. In all foundations eccentric loading must be provided for.

Section 68. THICKNESS OF WALLS AND COLUMNS—CONSTRUCTION—WIDTH—HEIGHT. Brick, stone, and solid concrete walls, except as otherwise provided, shall be of the thickness in inches indicated in the following table:

	Basement.	1	2	3
One-story	12	12		
Two-story	16	12	12	
Three-story	16	16	12	12

The basement walls and the first story walls of two-story buildings in Class II may be twelve inches in thickness. The first story walls of one-story buildings and the second story walls of two-story buildings in Class II may be eight inches in thickness, provided that where a pressed brick face is used no wall shall be less than twelve inches in thickness, and an eight-inch brick or solid concrete partition wall may be built in a building of any class, but in no case shall any eight-inch brick wall be more than fourteen feet in height. The basement walls of two-story buildings in Class II may be twelve inches in thickness. Walls less than fifty feet in length and walls less than fifty feet between cross walls, that are above the ground line, may be built four inches less in thickness than the thickness given in the aforesaid table, but no such wall in such buildings shall be less than twelve inches in thickness; provided, however, that such walls in buildings of Class II may be sixty-five feet in length, and further, provided, that eight-inch

walls may be used in one-story brick buildings and in the second story of two-story brick buildings of said last mentioned class where said eight-inch walls are not more than fourteen feet in height and are supported by a foundation or wall not less than twelve inches in thickness.

The length of a wall shall be the distance in which the wall extends in a straight line and shall be measured between angles of the masonry or between exterior and cross walls. Where masonry buttresses or piers or pilasters are employed on either or both sides of a wall, then said walls may be reduced in thickness by one-half of the projection or projections of the buttresses or piers or pilasters. Where buttresses are used they shall be so placed that the principal girders and trusses shall bear on them. If the loads carried by trusses and girders are supported by iron, steel or reinforced concrete columns, then such buttresses as are herein described shall not be required except for the fireproofing of steel and iron columns. The walls between such columns shall be built as required by this code, and said walls shall be anchored to such columns by metal anchors in every seven feet of the height of such column. A structural floor system shall extend from one wall to an opposite wall, and the walls shall be anchored to floor joists or girders or both with iron anchors placed opposite one another, secured to the same joists or girders in pairs, every seven feet or less of length of said walls. Where said joists or girders are of such length that it is not practicable to make them of one piece, then the several pieces shall be joined at each splice or joint by tie bars or other metal connections of the same strength as the anchors. Such anchors shall have not less than four-tenths of a square inch of metal in its smallest cross-sectional area. The spikes, bolts or screws, securing said anchors, and tie plates, shall be of such number and size as to transmit the tensile strain which the anchor is capable of resisting into the joists or girders to which said anchors are connected. All pin anchors shall extend at least eight inches into the supporting masonry.

The story height of buildings shall be the distance between structural floor systems or between such structural floor systems and structural roof systems and shall be as follows: Where twelve-inch walls are used, the story height shall not exceed eighteen feet. Where sixteen-inch walls are used, the story height shall not exceed twenty-four feet. Curtain walls

in skeleton construction buildings may be of hollow clay tile of the same thickness as herein required for brick walls. The walls of buildings to be used for the purposes of Class II and not more than two stories in height may be of hollow clay tile or molded hollow concrete blocks not thinner than the thickness herein required for brick walls, subject to the approval of the Chairman of the Building Committee.

Interior brick walls used to support fireproof floor construction, where brick walls are not required by this code, may be built thinner than the thickness required by the prior provisions of this section, provided the proportion between the thickness of such walls and the free height between floors does not exceed fifteen; and further provided the unit stresses do not exceed the stresses allowed by this code, and provided, also, that no such wall shall be constructed of a thickness less than twelve inches.

Section 69. HEIGHT OF STORIES. The height of stories for all given thicknesses of walls shall not exceed:

First story .....16 feet in the clear
Second story .....14 feet in the clear
Third story .....12 feet in the clear

And if any story exceeds the foregoing heights, the walls of any such story and all walls below that story shall be increased four inches in thickness.

Section 70. LEDGES—JOIST SUPPORTS. In buildings two stories or more in height, wherever party walls or partition walls twelve inches or less in thickness are used for the support of wood joists in buildings of Class I, the joists shall be supported on ledges of brick formed by corbeling not less than four courses of brick, and the upper course shall project four inches beyond the face of the wall, and the joists shall be protected from the bottom to the top of same for the distance of the projection of the corbel by solid brickwork laid in mortar. In buildings of every class where wood furring is used on brick walls, the brick between joists shall be projected from the bottom of the joist to the top of the joist for the full thickness of the furring and in no case shall such projection be less than two inches. Every wood joist, except header and tail joists, shall rest at each end four inches in a

wall, or on a corbel, a beam, girder or column. The ends of wood floor and roof joists, which rest on walls, shall be cut to a bevel of three inches in their depth. Wood joists and other timbers in party or dividing walls of every building built of stone, brick or concrete shall be separated from the beam or timber entering the opposite side of the wall by at least three inches of solid masonry.

Section 71. WALLS—ERECTION OF—WALLS AND SKELETON FRAMEWORK SECURELY BRACED. In the erection of buildings of masonry construction, no wall shall be carried up at any time more than two stories above another wall of the same building. The walls and skeleton framework of all buildings shall be kept securely braced and otherwise protected against the effects of the weather during all building operations.

Section 72. PARAPET WALLS—WHEN REQUIRED ON WALLS—THICKNESS AND HEIGHT OF. On all flat roof buildings parapet walls shall be erected, except as hereinafter provided, on all exterior walls and on all partition walls required by this chapter by reason of the area of such buildings; provided, that such parapet walls may be dispensed with on any wall of a fireproof building, and on street, alley and yard walls of buildings of other types where the entire framing and materials of the roof are strictly fireproof or where all portions of the roof nearer than fifteen feet to the lot line of such street or alley or bounding such yard or court are protected against fire by a continuous covering of porous or hollow tiles, not less than two inches thick and surfaced with mortar, on top of the roof boards. Such parapet walls may be eight inches thick wherever this ordinance permits the use of eight-inch walls; elsewhere they shall be not less than twelve inches in thickness. Such parapet walls shall extend at any point not less than three feet vertically above the roof on all such required partition walls and on all other walls within less than three feet of any division lot line and approximately parallel therewith; elsewhere they shall extend not less than eighteen inches above the roof. On all buildings where roofs have a greater pitch than three inches per horizontal foot, parapet walls, of thickness and height as above specified, shall be erected on required partition walls, on exterior walls approximately parallel with and less than three feet distant from a division lot line, and on walls abutting on

another building. Provided, that such parapet walls may be dispensed with where the entire framing materials of the roof are fireproof or where the cornice and roof coverings are of incombustible material and the top of the roof boards is protected against fire for at least five feet up from such wall by a coating of plaster on porous or hollow tiles at least two inches thick; and further provided that such parapet walls and such protection against fire may be dispensed with on buildings of Class II, two stories or less in height when such buildings have cornices of incombustible material and roof coverings of slate or terra cotta roofing tile.

Section 73. DEFINITIONS OF MASONRY. All masonry construction shall be defined as and comply with the following: Ordinary rubble shall be defined as masonry composed of unsquared stones laid without attempting any regularity of courses or bond. Coursed rubble shall be defined as masonry having approximately level joints; stones to be roughly shaped so as to fit approximately; joints in wall or pier to be leveled off every three feet in height and to be well bonded. First-class masonry shall be defined as masonry built of stones in regular courses, the bearing surfaces of which as well as ends to be roughly tooled off and shall be laid with alternate headers and stretchers so as to secure perfect bond.

Section 74. ASHLAR FACING. Ashlar facing of masonry walls shall only be considered as part of wall for the purpose of carrying weight, when it has a minimum bond as follows: Every second course to be a bond course, this bond course to extend into the backing a distance equal to the least thickness of ashlar. In addition to such bond, each stone in all courses shall be tied to backing by two galvanized iron anchors. No ashlar shall be less than four inches thick, nor shall the height of any stones exceed five times its thickness. The backing up of all ashlar shall be laid with cement mortar, or cement and lime mortar mixed, but the back of the ashlar may be pargeted with lime mortar to prevent discoloration of the stone.

Section 75. BRICKWORK—BOND OF. The bond of all brickwork shall be formed by laying one course of headers for every five courses of stretchers; provided, that in the case of pressed brick facing, two headers and a stretcher may be laid alternately in every sixth course or an equivalent number of full headers may be used in any other arrangement approved

by the Chairman of the Building Committee; and provided further, that pressed brick facing, when not counted as part of the bearing wall, may be laid with fewer or no header courses if anchored to the backing by metal ties of design, material, weight and quantity approved by the Chairman of the Building Committee.

Section 76. BRICKS—HOW LAID. All brick laid up in cement, or lime and cement mortar, shall be thoroughly drenched immediately before being laid unless laid in freezing weather. Both horizontal and vertical joints shall be filled with mortar in all kinds of brick masonry.

Section 77. REQUIREMENTS OF WORKMANSHIP AND MATERIALS. In the erection, alteration or repair of any building or structure in the Village of Kenilworth, the material and workmanship shall conform to the requirements of the ordinances of said Village, and, whether specifically mentioned therein or not, shall be of such general character and grade as will insure safe and substantial construction.

Section 78. ALLOWANCE TO BE MADE FOR CONCENTRATED AND ECCENTRIC LOADING. Allowance shall be made for concentrated and eccentric loading, calculations for which shall be based upon the formulas and constants prescribed by the rules of the best modern engineering practice.

Section 79. WOOD LATH. Wood lath shall be of the best quality, sawed white pine, yellow pine or spruce, well seasoned and free from bark, sap wood or dead knots, and not less than ¼ inch by 1¼ inch, and not wider than 1½ inch; shall be set not less than ⅜ inch apart for lime or lime and cement mortar, and not less than ¼ inch apart for hard wall plaster mortars; shall be nailed with at least four nails to each lath when studding or furring is 16 inches on centers, and with at least five nails to each lath when furring is 12 inches on centers; in walls shall be laid horizontally, and in ceilings shall run in one direction only; the joints shall be broken at least every seventh lath.

Section 80. METAL LATH. Metal lath if of expanded or sheet metal shall not be lighter than No. 27 U. S. gauge; if of wire lath shall not be lighter than No. 20 U. S. gauge; shall be galvanized, painted with an asphaltum compound and japanned; shall be lapped at least one inch at the ends; and at the sides of the sheet shall be lapped in such a manner as

to insure a good job; shall be of a type suitable to form a proper key and firmly retain the plaster; shall be kept at least ⅜ inch away from the wood surface by furring strips in furring over structural sheathing or solid wood work; if without wood stiffeners, shall be tied or laced at least every six inches, and if with stiffeners at least every eight inches vertically to the furring or studs with No. 18 U. S. gauge annealed, galvanized wire; at lap joints horizontally between the studs a similar tie shall be provided; the ends of all tie wires shall be twisted tight with a double turn and bent back flush with the face of the lath; if of expanded or sheet metal of No. 24 gauge or less and fastened with wood studs, shall be stapled at least every six inches, and the laps between studs securely laced; if of stiffened wire on wood studs shall be stapled over the rod or V stiffener, and laps between studs properly tied; wire lath shall be used on all stair backs; all corners shall be covered with metal corner beads.

Section 81. PLASTER BOARD. Plaster board shall not be less than ⅜ inch in thickness, and shall be of a type approved by the Chairman of the Bnuilding Committee; shall be spaced at least ¼ inch apart on all sides; shall be nailed directly to all wood studding or furring with 1¼ inch wire nails not less than No. 14 gauge, with flat ⅜ inch heads—the nails not spaced more than six inches apart for walls, or more than four inches for ceilings; shall have the joints broken every other board horizontally on walls, and at right angles to the furring on ceilings; shall have all joints and spaces between filled with hard wall plaster mortar, which shall be allowed to thoroughly set before browning; provided that when three coat work is to be done, the joints or spaces between the boards may be filled at the time of putting on the scratch coat, using the same material; shall not be wet at the time of plastering.

Section 82. PLASTER. Lime for plaster shall be of the best quality evenly and thoroughly burned lime-stone; shall be free from clinkers, with not more than fifteen per cent of other impurities; shall slake readily in water, forming a fine, smooth paste without residue in excess of fifteen per cent.

The sand used shall be of angular grains, sharp and free from deleterious substances. The binder shall be water-soaked, well beaten, clean long winter hair or approved vegetable fiber cut in lengths two to three inches. Machine mixed mortar

shall be made from lime putty. Hydrated limes of approved brands may be used in place of lump lime. All frozen mortar shall be discarded. Walls of brick or stone must be thoroughly cleaned and the joints left rough or open before the plastering is applied. All surfaces shall be straight edged in every direction, ceiling level, and all jambs and angles straight and true. When plastering is being done, the building shall be kept in working condition and properly inclosed against the weather. When plastering is applied to a concrete or tile surface, such surface shall be clean, free from oil and properly prepared for binding and keying the plaster, or the work shall be furred down. All cornices, coves, bull noses and rule joints shall be run with moulds and be straight and true, and when deemed necessary, heavy cornices and coves shall be shaped out by proper furring and lathing.

Ornamental ceilings shall be constructed in a manner similar to suspended ceilings, with the necessary modifications of brackets, frames and supports to conform to the required outline. Cements shall be of approved brands and shall be applied according to the manufacturers' specifications, and the finish shall be well troweled to a polished surface. Hard wall plasters shall be of approved brands, and shall be received at the building in the manufacturers' original packages, and shall be mixed and applied in accordance with his specifications.

Section 83. COATS OF PLASTER. Scratch coat shall be at least 3/16 inch to ¼ inch thick, and shall be well keyed into the lath. It shall be scored or scratched with diagonal lines nearly through its thickness. The scratch coat mortar shall be mixed in the proportions of one barrel of lump lime, 1½ barrels of clean, sharp sand, and the binder in the proportion of two pounds of hair or three pounds of fiber to one hundred pounds of lump lime. The brown coat shall be at least ¼ inch thick and shall not be applied until the scratch coat is dry. It shall be brought to a true plane by screening horizontally or some other acceptable method and floating to an even surface. The brown coat must be straight and true. The mortar shall be composed of one barrel of lump lime to five barrels of sand with binder in the proportion of one pound of hair or fiber to one hundred pounds of lump lime. The hard finish coat shall be the best quality of prepared finish or well slaked lime putty gauged with plaster of paris, or plaster of

paris with marble dust or white sand in combination. The mix shall be proportioned as follows: To one part of plaster add two parts of white mortar. If sand finish is used it shall be applied before the brown coat is quite dry, or if dry, the brown coat should be wet down and the sand coat troweled or floated to the desired finish.

Section 84. MORTAR BOXES—REGULATIONS. Mortar beds or boxes shall be so placed and guarded as to protect the clothing of persons passing, and shall not be located upon any street, sidewalk or public way unless enclosed with a tight fence.

Section 85. FIRE STOPS FOR FURRED WALLS. In walls furred with wood, the brick work between the ends of wood beams shall project the thickness of the furring beyond the inner face of the wall for the full depth of the beams. Whenever floor beams run parallel to a wall and wooden furring is used, such beams shall be kept at least two and one-half inches away from the inside line of the wall, and the space between the beams and the wall shall be built up solidly with brick work from the under side of the floor beams to the top of the same.

Section 86. CUTTING FLOOR TIMBERS FOR PIPES, ETC. No piping or conduits of any kind shall be cut into any floor timbers or joists at a greater distance than two feet from the ends of supports of said beams or joists, nor to a greater depth than one-sixth of the depth of the beams or joists, unless reinforcements shall be provided that insure the strength of the floor system being as great as if no such cutting was done.

Section 87. BRIDGING OF JOISTS. All wooden floor or roof joists shall be properly bridged and the distance between bridging, or between bridging and walls, shall not be more than eight feet.

Section 88. BEARING PLATES. The ends of all girders, lintels, beams, trusses, posts, or other supports shall rest on a hard, flat stone, iron or other suitable plate of ample size to spread the weight over a sufficient superficial surface that the stress upon the masonry or other material shall not exceed the limit specified by this code.

Section 89. BEARING OF BEAMS AND JOISTS ON WALLS. All beams or joists entering a division wall of masonry shall have a proper bearing, not less than four inches,

and have the ends cut on a slope of about three inches in the width or depth, and the ends of all such timbers shall be separated by not less than four inches of masonry from the beams or joists entering from the other side.

Section 90. HEADERS. Wood trimmer and header beams shall not be less than double the thickness of the other joists; they shall be framed not less than one inch from the walls of all flues; and where the header is more than six feet in length they shall be hung in suitable iron stirrups. In all floors carrying a load of over one hundred pounds per square foot of floor surface all joists framed into a header or girder shall be hung in suitable iron stirrups; likewise all headers in buildings whose floors are required to sustain one hundred pounds or more per square foot of floor area and which are placed at a greater distance than three feet from the end of the trimmer, shall be hung in proper iron stirrups. Joists carrying partitions or supporting headers that are more than six feet in length or attached at a greater distance than five feet from the bearing walls or partitions, shall be doubled.

Section 91. PARTITION BEARINGS. Stud partitions supporting floors or roofs in any manner shall rest upon girders, trusses, walls or foundation footings, and shall head and foot against each other so far as practicable.

Section 92. WOODEN PIERS—WHEN PERMITTED. Wooden piers in cellars or basements, supporting stairs, partitions or floors above, shall not be permitted in buildings other than those embraced in Class II and in all cases where so used shall stand on suitable iron, limestone or concrete base.

Section 93. WOOD PARTITIONS IN CELLARS—HOW SUPPORTED. When wood partitions are used in cellars or basements, the sill plates for same shall rest upon stone or brick laid in cement mortar, and shall be placed not less than two inches above the top of the cellar or basement floor. The sill plate shall be laid in a good bed of cement mortar.

Section 94. STRENGTH OF TEMPORARY SUPPORTS. Every temporary support placed under any structure, wall, girder, beam or column, during the erection, finishing, altering or repairing of any building, or part thereof, shall be of sufficient strength to safely carry the load to be placed thereon.

Section 95. LOADS ON FLOORS AND ROOFS DURING CONSTRUCTION. During the construction or alteration of

any building or structure, no material entering into such construction or alteration shall be placed on any floor or roof of any greater weight than the live load that each such floor is designed to safely sustain when the building or structure is completed.

Section 96. TIMBER IN BRICK OR STONE WALLS PROHIBITED. No timber shall be used in any brick or stone wall of any building except lathing strips, forms for interior arched openings, inside lintels and brace blocks not more than eight inches in length.

Section 97. ARCHES OVER DOORS AND WINDOWS. All openings for doors, windows and the like, in walls of masonry, shall have good and sufficient arches with sufficient abutments, or shall have lintels of stone or iron of sufficient strength.

Section 98. PARTY WALLS—INCREASING THICKNESS. Party walls intended for the use of two or more owners shall not be less than four inches thicker than is required for external walls. Party walls between buildings belonging to the same owner and erected at the same time, shall not be less in thickness than required for external walls for buildings of the same class.

Section 99. HOLLOW TILE PARTITIONS. Hollow tile partitions, not less than three inches in thickness, of hard burned clay or porous terra cotta may be built not exceeding fourteen feet in height and not exceeding thirty feet in their horizontal measurements between cross walls, piers or steel columns, or buttresses; but such partitions shall not be used for bearing walls. All such partitions are to be solidly put together in lime or cement mortar and carried upon iron or steel beams or girders.

Section 100. ANCHORS REQUIRED. Each tier of floor beams and joists shall be securely anchored to the side, front, rear and division walls. The ends of all joists meeting on a girder or beam shall be anchored together in such a manner as to form a continuous and secure tie across the building. The ends of all girders and partition caps shall be anchored together in such a manner as to form an adequate and continuous tie, and shall be securely anchored to the walls at each end. The ends of at least every fourth joist (three joists between) and all joists opposite piers or buttresses shall be anchored in brick walls by means of wrought iron anchors not

less than two inches wide, by one-fourth inch thick by thirty inches long, provided on one end with three nail holes for attaching anchors to joists and on the other end with not less than a five-eighths inch round iron at least eight inches long. Diagonal anchors shall be used in brick walls that are parallel with joists. The diagonal joists shall be equal in all respects to end anchors, and shall be of sufficient length and have sufficient nail holes to insure their being attached to the outer four rows of joists at all piers or buttresses and at intervals not exceeding eight feet. All joist anchors shall be attached at or near the bottom of the joists. In all walls less than twelve inches in thickness the anchors shall go through the wall and have plates on the outer side. Wall plates and sill plates shall be securely anchored in place at every angle and at intervals not exceeding eight feet. The anchors shall be at least five-eighths inch round iron, two feet long, provided with a three-inch thread at one end and a three-fourth-inch by one-eighth-inch round rod at the other, and shall be firmly built in the masonry.

ROOFS.

Section 101. SNOW GUARDS ON ROOF. All roofs so constructed and located that snow lodging upon the same might slide from said roof into any public place shall have suitable snow guards to prevent the snow from so sliding. All snow found to be lodged upon any cornice, gutter or other part of a building, which might slide therefrom into any public place, shall be at once removed by the owner or occupant of any such building.

Section 102. DRAINAGE AND REPAIR OF ROOFS. The roof of every building shall be kept in good repair, and shall be provided with water tight metallic leaders and down spouts, to be kept in good repair and so connected as to conduct the water from the roof to the ground, sewer or street gutter in such manner as shall fully protect the walls, areas and yards of such building and adjoining buildings from the damage of flooding. In no case shall the water from such leaders, or otherwise, be permitted to flow upon the sidewalk. Wire cages shall in all cases be placed in the gutter openings to all conductors or down spouts.

Section 103. CORNICES OF STONE. Where a wall is finished with a stone or tile cornice, such cornice shall be securely

anchored in place and the greatest weight of material of such cornice shall be on the inside of the face of the wall, so that the cornice shall firmly balance upon it.

Section 104. SKYLIGHTS—CONSTRUCTION OF—GLASS IN. Any skylight on the roof of any building other than a frame building, shall have the sides, sashes and frames constructed of metal, or of wood, metal clad on all exterior surfaces. Every skylight shall be provided with ventilation opening of an area of at least three per cent of the base area of the skylight and all glass in such skylights shall be wire glass.

Section 105. DOOR AND WINDOW OPENINGS, WHEN PROTECTED IN BUILDINGS OF CLASS I—IRON DOORS—WIRED GLASS SET IN METAL FRAMES. Where the distance from door and window openings in buildings of Class I is less than thirty feet from the opposite side of the established alley line and where the windows and doors of two or more areas of the same building which is required to be separated by dividing walls by this code, are on a court, every such window and door, distant less than thirty feet from another window or door of another such area and where also the doors and window openings are within fifteen feet of an inside lot line, such openings shall be provided with windows and doors constructed of wired glass set in metal frames and sash; provided, further, that doors may be automatic rolling steel shutters or steel plate doors or metal-clad wood doors, and further provided that at least one of the first or ground floor doors must be a swinging door.

HEATING, APPLIANCES, FURNACES, AND CHIMNEYS.

Section 106. FLUE CONNECTIONS. All boilers, furnaces, fireplaces, ovens and all other heating apparatus, mentioned in this code, shall be properly connected with a flue, chimney or stack as direct and within the shortest distance possible.

Section 107. SMOKE FLUES—SIZE. No smoke flues shall be less than eight inches by eight inches. All smoke flues shall be proportioned to the volume of gases to pass through the same. All smoke flues shall be provided with iron clean out doors at the base of the chimney.

Section 108. FLUES AND CHIMNEYS—MATERIAL REQUIRED. All flues and chimneys shall be built of brick, stone, concrete or other incombustible material suitable in character, quality and strength for the purpose and the place for and in

which used. The brickwork of flues and chimneys must be laid solid, thoroughly filled with mortar, and the joints must be struck flush on the inside. The exposed brickwork from the roof line up, in case brick is used, must be vitrified brick laid in pure cement mortar.

Section 109. WALLS FORMING SMOKE FLUES—LINING. The walls forming smoke flues of one hundred and forty-four square inches area or less shall be of brick, concrete, stone or of any one of these and burnt fire-clay flue tile lining, and such flue linings shall extend from the lowest opening to a distance of at least two feet above the roof joists. If only one of the above materials is used it shall not be less than eight inches in thickness. Provided, however, that such flues having walls at least three inches in thickness of continuous concrete or interlocking or rabbeted joint concrete sectional flues may be used without burnt fire-clay flue tile lining. If any one of the above materials is used in combination with burnt fire-clay tile lining it shall be not less than four inches in thickness, and the burnt fire-clay flue lining shall be not less than three-fourths inch in thickness, and built as herein described. The walls forming smoke flues of more than one hundred and forty-four square inches area shall be of brick, concrete, stone or any of these and burnt fire-clay flue tile lining. If any of the above materials is used alone, it shall be not less than thirteen inches in thickness. If any one is used in combination with burnt clay flue tile lining, it shall be not less than nine inches in thickness and the fire-clay flue tile lining shall not be less than three-fourths inch in thickness and built as herein required.

Section 110. CHIMNEYS AND STACKS—MINIMUM HEIGHT. No chimney or flue to serve stoves or open fireplaces for domestic purposes shall have a less height than four feet above the top of flat roofs, or a less height than two feet above the ridge of pitched roofs of the building.

Section 111. THIMBLES. Galvanized iron thimbles or terra cotta crocks shall be inserted for receiving all smoke pipes and shall be set when chimneys are built.

Section 112. FOUNDATION OF CHIMNEYS. The foundations of all chimneys shall extend down to and rest upon sufficient footing to be placed at least below the basement floor; in case the building of which the chimney is a part has no basement, but rests upon piers, posts or other supports,

said foundations shall be carried down to a depth of not less than that herein specified for such piers, posts or other supports. A chimney shall not rest upon a timber bracket, timber floor or any timber support whatever.

Section 113. CHIMNEYS CORBELED. No chimney shall be corbeled from a wall more than one-half the thickness of the wall, or be hung from a wall less than twelve inches thick unless it projects equally on each side of the wall.

Section 114. CHIMNEYS—DRAWING OVER OR OFFSETTING. No chimney shall be drawn to one side more than one-third of its size, unless supported on incombustible framework.

Section 115. CHIMNEYS PLACED IN OLD WORK. All chimneys cut or placed in old work shall have tile flue linings from bottom to top of flue and shall have a good brick wall constructed around such linings.

Section 116. CHIMNEYS—INTERIOR—FRAMING AROUND. In case of chimneys which are enclosed, or form part of the interior of any building, no joists or girders shall rest or be supported on the walls of such chimney, and the framing around chimneys of all kinds shall be so constructed that in no case will any joists or timbers be placed nearer than two inches from the outside face of walls of flues, and in no case shall the distance from the inside of any flue to any joists or timbers be less than seven inches.

Section 117. SMOKE PIPES THROUGH WOOD PARTITIONS. Where smoke pipes pass through a wood or plastered partition or furred wall, or floor, they shall be surrounded either by a body of hard incombustible material, measuring at least four inches all around such smoke pipes, or they shall be surrounded by a double safety thimble of sheet metal made of two concentric rings of sheet metal at least one inch apart, and the entire thimble so constructed that there will be a circulation of air between the two rings forming same.

Section 118. PORTABLE FURNACES. The top of every portable furnace, not set in brick, shall be kept at least one foot below the beams of ceiling, with at least two inches of sand over the top of the furnace.

Section 119. WARM AIR PIPES. All warm air pipes, running above the first floor, conducting warm air from furnaces or radiators, shall be standard bright tin conductors, double

thickness with air spaces of at least one-fourth of an inch between the two thicknesses running the entire length of the pipe, except that pipes inclosed in brick flues need not be a double thickness. Horizontal furnace pipes in basement may be made single and shall be kept at least one inch from any woodwork and when less than two inches must be covered with fireproofed material. Hot air pipes in or passing through closets shall be double with a space of one inch between them.

Section 120. REGISTERS. Hot air registers hereafter placed in the floor of any building shall have one-fourth inch air space extending around their register boxes, guarded by tin on the outside.

Section 121. BRICK SET FURNACES. All brick set hot air furnaces shall have two covers with an air space of at least four inches between them. The entire cover of the hot air chamber shall be either a brick arch or two courses of brick laid on galvanized iron or tin supported on iron bars. The outside cover which is the top of the furnace shall be made of brick or metal supported on iron bars and so constructed as to be perfectly tight and shall be not less than twelve inches below any combustible ceiling or floor beams.

Section 122. DISTANCE FROM WOODWORK. All furnaces shall be placed at least two feet from any wood or combustible partition, unless the partition is properly protected by a suspended metal shield, when the distance shall be not less than one foot. The cold air boxes of all hot air furnaces shall be made of metal, brick or other incombustible material. No furnace shall be surrounded or inclosed by any combustible material for the purpose of forming air chambers.

Section 123. STEAM PIPE COVERINGS. All steam and hot water pipe coverings and boiler coverings shall consist of fireproofed materials only.

Section 124. GAS MANTLES. No gas log, gas grate or other gas fireplace heater shall be installed in any building except in a brick fireplace connected with a chimney flue. Gas mantles shall in all particulars be installed in such manner as to insure complete protection against fire being communicated from same to the building; shall be provided with an adequate flue for ventilating same, not less than seven square inches in effective sectional area; and shall be subject to inspection and approval by the Chairman of the Building Committee.

Section 125. SIZE OF FIREPLACES. All fireplaces shall be at least twenty-four inches wide. The hearth shall extend in length the full width of the mantle and at least twelve inches beyond the opening on each side, and shall be at least twenty inches in width measured from the chimney breast.

Section 126. FIREPLACE—FIRE BACKS. The fire backs of all fireplaces hereafter erected shall be not less than eight inches in thickness of solid brickwork or concrete nor less than twelve inches if of stone.

Section 127. TRIMMER ARCHES FOR FIREPLACES. All fireplaces and chimney breasts, whether intended for ordinary fireplace uses or not, shall have trimmer arches to support hearths, and no woodwork shall be used under such arches. Hearths for fireplaces shall not be less than twenty inches wide measuring from the face of the chimney breast, and the length shall not be less than the width of the mantle. Hearths shall be supported by trimmer arches of brick, stone, terra cotta fireproofing or concrete, or by heavy metal bars, placed not less than eight inches centers. One end of each bar shall project into the wall of chimney and the other end shall be securely fastened to the trimmer joists. There shall be a filling above the bars of not less than two courses of brick, laid in cement mortar. Wood centering under arches shall be removed before plastering ceiling underneath.

REINFORCED CONCRETE CONSTRUCTION.

Section 128. REINFORCED CONCRETE—DEFINITION—PLANS. The term "Reinforced Concrete" means any combination of metal imbedded in concrete to form a structure so that the two materials assist each other to sustain all the stresses imposed. Before a permit to erect any reinforced concrete structure is issued, complete plans and specifications shall be filed with the Village Clerk, showing all details of the construction, including detail of working joints, the size and position of all reinforcing rods, stirrups or other forms of metal, and giving the composition and proportion of the concrete; provided, however, that permission to erect any reinforced concrete structure does not in any manner approve the construction until after tests have been made of the actual construction to the satisfaction of the Chairman of the Building Committee, if deemed necessary and in accordance with accepted engineering practice.

FIREPROOF CONSTRUCTION.

Section 129. FIREPROOF CONSTRUCTION—DEFINITION. The term "fireproof construction" shall apply to all buildings in which all parts that carry weights or resist strains, and also all exterior walls and all interior walls and all interior partitions and all stairways and floors and all elevator enclosures, are made entirely of incombustible material, and in which all metallic structural members are protected against the effects of fire by coverings of a material which shall be entirely incombustible, and a slow heat conductor, and hereinafter termed "fireproof material." Reinforced concrete as defined in this ordinance shall be considered fireproof construction.

Section 130. FIREPROOF MATERIAL—DEFINITION OF. The materials which shall be considered as filling the conditions of fireproof covering are: burnt brick; tiles of burnt clay; approved cement concrete; terra cotta.

HOLLOW TILE CONSTRUCTION.

Section 131. REINFORCED TERRA COTTA HOLLOW TILE—DEFINITION. The term "reinforced hollow tile" is hereby defined to mean a system of hollow burned clay tile in combination with reinforced concrete, in which combination the hollow tile may be used to resist compressive and shearing stresses.

CONCRETE BLOCK CONSTRUCTION.

Section 132. CONCRETE BLOCK—USE PERMITTED. Concrete building blocks with hollow spaces may be used for buildings or structures of ordinary construction not more than three stories in height; provided, the blocks meet the requirements of this code and a permit for their use is first obtained. The blocks shall be made of not less strength of mixture (by volume) than one part Portland cement, three parts of clean, sharp sand and five parts of hard, clean, crushed limestone or its equal in crushing strength and durability. If an aggregate of mixed sand and gravel is used there shall be not less than one part of said cement to six parts of such aggregate. Such aggregate upon being separated on a one-quarter inch mesh sieve shall leave upon the sieve a residue of not less than 70% nor more than 85% of the original volume; the test to be made on thoroughly dried material. The materials used shall

be free from dirt and other foreign matter, properly mixed and manipulated.

SLOW BURNING CONSTRUCTION.

Section 133. SLOW BURNING CONSTRUCTION DEFINED. The term "Slow Burning Construction" shall apply to all buildings in which the structural members, other than walls elsewhere required to be of masonry, which carry the loads and strains which come upon the floor and roofs thereof are made wholly or in part of combustible material, but throughout which the structural metallic members, if used, shall be protected against injury from fire by coverings of fireproof material. Under side of joists shall be protected by a covering of three coats of plaster laid on metal lath; and a layer of mortar or other incombustible material at least one and one-half inches thick shall be applied on all floor and roof surfaces above the joists of the same.

Section 134. POSTS, GIRDERS AND PARTITIONS. Wood posts, if used, shall be of not less than one hundred square inches sectional area. Wood girders, if used, shall be of not less than seventy-two square inches sectional area. All partitions in buildings of this type shall be made entirely of incombustible material. Wood furring, wood studs and wood lath shall not be permitted in buildings of this type.

ORDINARY CONSTRUCTION.

Section 135. ORDINARY CONSTRUCTION DEFINED. The term "Ordinary Construction" as used in this code, means the ordinary system of construction in which timber and iron structural parts are not protected with fire-resisting coverings and in which the walls are of masonry built as required by this code.

FRAME CONSTRUCTION.

Section 136. FRAME BUILDINGS DEFINED. For the purposes of this code, any building or structure having one or more enclosing walls consisting of wood or having a framework of wood veneered with less than six inches of masonry, or with cement plastering, or with sheet metal (provided the veneering is attached to or is dependent for stability or rigidity upon the wooden framework, or upon a sheathing of wood applied either to a wood or to an iron framework) shall be

deemed a frame building or structure; and any such building or structure must comply with the provisions of this code relating to frame buildings or structures.

Section 137. VENEERING OF FRAME BUILDINGS. Frame buildings may be veneered with not less than four inches in thickness of brick, stone, tile, concrete or other masonry; or with Portland cement plastering on metallic lath. In case masonry veneering is used, a row of anchors shall be provided for each and every sixth course and spaced horizontally at intervals not exceeding sixteen inches nor exceeding every other stud. Wooden strips not less than seven-eighths of an inch by one and one-fourth inch shall be run over building paper covering the sheathing. The strips shall be placed in horizontal rows not more than three feet apart and shall be securely nailed to the sheathing. The space between the veneering and the wooden enclosing walls of the building must be securely fire-stopped. In case metallic lath and cement veneering is used, the metallic lath shall be securely attached to the building and the cement plastering shall be first quality as regards material and workmanship. The masonary veneering shall rest on a foundation of solid masonry such as the basement or foundation wall, and shall not be subjected to loading other than that due to its own weight.

Section 138. FIRE STOPS. The spaces between the studs on the top of the first floor joists of outside and inside walls of all frame buildings shall be closed with two inch fire stops, shutting off all spaces. On all the other floors (and including all attics) of frame buildings constructed with a "Ledger" board, the spaces on the under side and also on top of joists shall be filled with a fire stop not less than two inches thick, securely fastened and properly fitted to fill voids between outside studding. The spaces between the floor joists, where they rest upon bearing partitions, shall be fire stopped. The fire stops shall be of the same material as the partition, but no fire stop shall be less than two inches thick the full width of the floor timbers. The open space between the stringers of stair cases and joists of landings, unless unceiled, also other similar spaces liable to cause the spread of fire, shall be fire-stopped. In all buildings in which ordinary construction is permitted the fire stopping may consist of timber not less than two inches thick, of such width and length that when in place

and securely fastened, the open space into which it is inserted will be completely stopped. In all buildings in which other than ordinary construction is required the fire stops shall consist of suitable incombustible materials.

Section 139. SPACE BETWEEN FRAME BUILDINGS. The minimum spaces between frame buildings as provided in this code (as to sides of the buildings) shall not be occupied by bays, porches or like projections; except that regular house cornices projecting not more than twelve inches may be constructed therein. A frame building intended or designed to be used for other than residence purposes shall not be erected or placed at a less distance than ten feet from any other frame building if either of said buildings is twenty-five feet or more in height, nor at a less distance than six feet from any other wooden building if either of said buildings is less than twenty-five feet in height; nor shall any such building be placed at a less distance than four feet from the boundary line (street and alley lines excepted) of the lot upon which the building is to be located, except a brick external wall be substituted as hereinbefore specified.

Section 140. ALTERATION OF FRAME BUILDINGS. Existing frame buildings that are altered, raised, underpinned or moved, whether used as a dwelling or for other purposes, shall be subject to the same restrictions regarding permit, location, size, veneering, foundation and occupancy as are specified by this code for new frame buildings.

STAIRWAYS.

Section 141. STAIRWAYS, NUMBER—LOCATION—CONSTRUCTION. In ordinary construction with a floor area of four thousand square feet or less, there shall be at least two stairways; with floor area of four thousand to nine thousand square feet, there shall be at least three stairways. The width of stairs required in buildings of ordinary construction shall be computed as follows: The width of stairs in inches shall be equal to the result obtained by deducting three thousand from the floor area of the building in square feet and multiplying the remainder by twelve and dividing the product by one thousand and adding seventy-two inches to the quotient, expressed in the formula as follows:

$$72 \text{ inches plus} \frac{(\text{area}—3{,}000) \text{ times } 12}{1{,}000}$$

In mill or slow-burning construction with a floor area of six thousand square feet or less, there shall be at least two stairways. With floor area of six thousand to twelve thousand square feet, there shall be at least three stairways. The width of stairs required in buildings of mill or slow-burning construction shall be computed as follows: The width of stairs in inches shall be equal to the result obtained by deducting three thousand from the floor area of the building in feet and multiplying the remainder by eight and dividing the product by one thousand and adding seventy-two inches to the quotient; expressed in the formula as follows:

$$72 \text{ inches plus} \frac{(\text{area}—3{,}000) \text{ times } 8}{1{,}000}$$

Section 142. STAIRS—OTHER REQUIREMENTS. The width of stairway fire escapes required by this code may be deducted from the width of stairs required. Stairways shall be located as far from each other as practicable. The bottom of each stairway shall be in the immediate vicinity of the top of the stairs leading to the next lower story and the line of travel from stairway to stairway shall be direct and easily accessible each to the other. Exterior stairways in buildings of Class I built entirely of steel and iron, having ice-proof treads not less than ten inches wide from nosing to riser and a rise of eight inches or less for each riser, and where such stairway fire escape extends from the inside grade to the top floor of the building or is supplied from the second floor to the ground with a counterbalanced section and has a steel ladder from the top landing to the roof, then such stairway may be considered the equivalent of one interior stairway and one stairway fire escape if the width of such stairway and that of the one or more stairways in the building equals the width of stairs required by this code; provided, that in such case the respective floors, door sills, and platforms are flush, and that the doors do not obstruct the stairs or platforms and that the doors are each at least ninety per cent of the width of said stairway and that the windows, doors and frames passed by such stairway and platforms are built of incombustible material and wired glass. Stairways which are less than three feet three inches wide shall have not less than one hand rail and stairways which are more than three feet three inches wide shall have not less than two hand rails. Stairways which

are over eight feet wide shall have double intermediate hand rails with end newel posts at least five and a half feet high.

Stairways hereafter erected shall not be spiral stairways or have any winders. *Provided,* however, that circular or elliptical stairways may be used if the width of treads one foot from the center of the hand rail next to the well hole is nine and one-half inches, including nosings. Stairways shall not have risers more than eight inches high nor treads less than ten inches wide, inclusive of nosings. The bottom of any counterbalance stairway or ladder fire escape hereafter erected on any public thoroughfare when raised shall be not less than fourteen feet above the pavement or surface of the street or alley. The location of every stairway required by this code shall be subject to the approval of the Chairman of the Building Committee.

STABLES AND BARNS.

Section 143. LOCATION. All stables or barns hereafter erected or converted to such use shall be so designed and placed upon the building site as to secure proper natural light and ventilation for the animals occupying the same and for the health and comfort of persons occupying adjoining premises; and shall have windows opening upon streets, alleys, or yards.

Section 144. REGULATION. It shall be unlawful for any person, firm or corporation to convert any building for the use of or to construct or maintain any stable or barn for the housing or keeping of horses, mules, cattle or similar animals on any lot abutting on a street or alley in which a public sewer is constructed without providing such stable or barn with an impervious floor properly drained to such sewer. Stables hereafter erected or converted to such purpose, not exceeding five hundred square feet in ground area and not exceeding twenty feet in height, may be of frame construction subject to the requirements of this code.

Section 145. MANURE PIT. Any stable or structure in which manure or stable refuse accumulates, shall be provided with a water-tight box, bin or pit, located on the premises on which such stable or structure is situated. Said box, bin or pit shall be ventilated by means of a flue or duct having a cross sectional area of not less than twelve square inches nor less than one square inch for each square foot of ground area of the box, bin or pit served, and extending above the roof of the

stable. Said box, bin or pit shall be provided with serviceable openings for depositing and removing the contents. These openings shall at all times be securely covered, except when opened during the time of depositing or removing the manure or refuse. Openings to manure boxes, bins or pits, shall be entirely and effectively covered with sound fly screens during the period from April first to November first of each year. Manure boxes, bins or pits shall be kept in good repair and sufficiently tight to prevent the access of flies.

SPECIAL STRUCTURES AND SHEDS.

Section 146. ENCLOSED SHEDS. Enclosed sheds not exceeding fourteen feet in height nor exceeding two hundred and fifty-six feet in area may be constructed entirely of wood. Such sheds shall not be located on the front part of the lot, nor shall they be used as a dwelling house, or for any business purpose whatever; nor shall more than one shed be erected on any one building lot of one hundred feet frontage.

Section 147. OPEN SHELTER SHEDS. Open shelter sheds not exceeding fifteen feet in height, nor more than five hundred feet in area may be built of wood construction. Such sheds shall not have any floors of combustible material. No such shed shall be built within ten feet of adjoining premises. If such shed is to be enclosed the roof shall be covered with incombustible material and the material used for enclosing the shed shall be of the type and class required by the building code for the purpose for which the shed is used.

DANGEROUS BUILDINGS.

Section 148. DANGEROUS BUILDING A NUISANCE. Any building or part thereof, or any structure of like nature, in a condition dangerous to the occupants, or those passing, or to any adjacent buildings by reason of bad condition of walls, overloaded floors, defective heating apparatus, vibrations from machinery, defective flues, confined or cramped stairways, insufficient exits, narrow or dark passageways, or which is unsafe or dangerous for the purpose for which it is used or intended to be used, or is in danger of being set on fire from any defect in its construction, or is especially dangerous in case of fire by reason of its dilapidated condition or defective construction, or from other causes, or which may be prejudicial

to the public health or the health of the inhabitants of the neighborhood, shall be deemed and is hereby declared to be a public nuisance.

Section 149. DANGEROUS BUILDINGS—PROCEEDINGS. Whenever it shall come to the knowledge of the Chairman of the Building Committee, Commissioner of Health or the Fire Marshal, or complaint shall be made to them or any of them in writing by any two reputable citizens, that any building, wall or structure within said Village is in such dangerous condition as described in the preceding section, said Chairman of the Building Committee, Commissioner of Health or Fire Marshal, as the case may be, shall forthwith report the same to the Village Board. If it shall appear to the Village Board, after due investigation of such report, that such building, wall or structure is in such dangerous condition as aforesaid, and the owner or owners or his or their agent, or the lessee or occupant thereof if within his power or duty so to do shall fail within a reasonable time, to be fixed by the Board, and after notice thereof in writing served on such owner or owners or his or their agent, or upon such lessee or occupant, by such officers of the Village as the Board shall direct, specifying wherein such building is unsafe, defective or unlawful, to make the same safe, in such way as the Board may direct, said building, wall or structure shall, upon the order of said Board, be torn down and removed.

Section 150. INSPECTION. For the purpose of making inspections, the Chairman of the Building Committee, the Commissioner of Health or the Fire Marshal shall have the right to visit, enter and inspect from time to time, and at all reasonable hours, any building or structure in the Village of Kenilworth which any such officer has reason to believe is in a dangerous or defective condition in regard to its construction or through damage by fire, accident, lack of repair or decay.

Section 151. IMMEDIATE ACTION CAN BE TAKEN TO PREVENT ACCIDENT. In case the Chairman of the Building Committee, Commissioner of Health or Fire Marshal, or either of them, finds any building or part of a building in such condition as to endanger life, or liable to cause serious accident, and that such danger may be averted by the immediate application of precautionary measures, said officers, or either of them, as the case may be, shall have and exercise the power

(without the preliminary direction of the Village Board), to take such precautionary measures as in his or their opinion may be necessary to render any building or part thereof safe; provided, the owner, lessee, occupant or agent of said building refuses or neglects to take such precautionary measures after being notified so to do (as he shall be notified if accessible) by said officers or either of them. The decision and order of the said officers or either of them, as the case may be, shall be absolute and final.

Section 152. DANGEROUS BUILDINGS MAY BE CLOSED. The Chairman of the Building Committee, Fire Marshal and Commissioner of Health, either or any of them may order that no person shall be permitted to enter, occupy or use a dangerous building or any portion thereof until the same shall have been made safe; and may post such order in a conspicuous place on the exterior wall of such building. No person shall enter, occupy or use (except for the purpose of repairing and making the same safe) any building or portion thereof after the posting of such notice until such building or portion thereof shall have been made safe. If the building or portion thereof found dangerous shall be devoted to any purpose requiring a license, the Village President may suspend the license pending the period of making repairs; and he may revoke the license in case of failure on the part of the owner or party having an interest in such unsafe building or portions thereof to make same safe without delay and at their expense.

Section 153. REPAIRING DAMAGED BUILDINGS. It shall not be lawful to repair or reconstruct or remove any building within said Village which has been injured more than fifty per cent of its original value, exclusive of the foundation, by wear and tear, by the effects of the elements, or by fire, without a permit so to do shall first be obtained; nor to occupy for human habitation any building which is declared by the Commissioner of Health to be unfit for such habitation by reason of defective sanitary conditions, until such conditions have been remedied and the premises approved by said Commissioner of Health as fit for occupancy. If work has been done and expense incurred by the Village in connection with dangerous buildings, a bill of the cost shall be rendered by the Village to the owner, lessee, occupant or agent of the property. The Village may refuse to issue a permit for the reconstruction, alteration or repair of any building or por-

tion thereof on the property involved until the expenditure incurred by the Village on account of the work and material supplied has been repaid.

HOUSE MOVING.

Section 154. HOUSE MOVER'S BOND. Every house mover shall execute a bond to the Village of Kenilworth in the penal sum of five thousand dollars; with good and sufficient sureties, to be approved by the Village Board; conditioned among other things that the licensee will pay for all damages or injuries to any tree, pavement, street, alley, walk, pole, wire or other property of said Village, whether said damage or injury be inflicted by said licensee or by his agent or his employee; and conditioned, further, that the licensee will indemnify, save and keep harmless the Village of Kenilworth against all liabilities, judgments, costs and expenses which may in any wise accrue against said Village in consequence of the granting of such license, or the granting of any permit issued under said license; and that the licensee will strictly comply with the ordinances of said Village and with the conditions of all permits issued under said license.

Section 155. NOT TO MOVE BUILDINGS WITHOUT PERMIT. No house mover shall move any building or structure from one place to another, nor raise, lower or underpin any building in said Village without having first obtained a permit therefor; *provided,* that such small structures as can readily be moved on wheels by teams and without the use of any power multiplying device, and that are not higher than twelve feet nor larger than one hundred and fifty square feet in ground area, and that are not proposed to be moved from without to within the Village limits, may be moved without a permit.

Section 156. APPLICATION FOR A MOVING PERMIT. Before a permit required by the preceding section of this chapter shall be granted to any house mover, he shall make application therefor in writing to the Village Clerk (upon blanks to be furnished by said Clerk) stating the building or structure proposed to be moved, raised or lowered, where located, the place to which it is proposed to move the same; or how much the same is to be raised or lowered; the route to be taken, if the same is to be moved; and the time probably required for such moving; also the written consent of the

owners or their authorized agents, of a majority of the frontage on both sides of the street where it is proposed to locate such building, lying between the nearest intersecting streets. If upon the consideration of such statement, and inspection of the condition and state of repair of the building or structure, the route and place to which it is proposed to move the same, it shall appear that the work proposed to be done is in accordance with the ordinances of said Village, then, upon the payment to the Village Clerk of the fees and deposit hereinafter specified, the permit sought shall be issued. Nothing in this section contained shall be construed to require frontage consents for the moving of a building or structure from one location to another location in the same block unless the building or structure shall be moved in, along or across a public highway.

Section 157. CERTAIN MOVING PERMITS NOT TO BE ISSUED UNTIL AUTHORIZED BY THE VILLAGE BOARD. The Village Clerk shall issue no permit for the removal of any building or structure, the extreme height of which exceeds thirty feet, or the extreme width of which exceeds twenty-seven feet; nor for the removal of any building or structure over a route of more than one quarter mile in length; nor for moving any frame building or structure from one location to another if such frame building or structure has been damaged by fire, decay or otherwise to an extent of 50% of the estimated fair value of the building or structure before such damage occurred; nor to move a building or structure from outside to within the Village; without a special order or resolution of the Village Board authorizing the issuance of such permit; *provided,* that this section shall not apply to the removal of a building or structure where such building or structure is uot to be moved over or across any public street or alley and the same has not been damaged by fire, decay or otherwise more than 50% of the estimated fair value of the building or structure before such damage.

Section 158. PERMIT FEES FOR HOUSE MOVING. The fee to be paid to the Village Collector for a permit to move, raise, lower or underpin a building or structure shall be as follows:

For moving over, upon or in any public highway buildings or structures one and one-half stories or less in height $10.00

For moving over, upon or in any public highway buildings or structures of more than one and one-half stories in height..... 20.00

For moving buildings or structures within the limits of any one block when the same does not pass over, upon or in any public highway..... 3.00

For moving buildings or structures within the limit of any lot where the same does not pass over, upon or in any public highway..... 2.00

For raising, lowering or underpinning any building 1.00

Section 159. DEPOSITS. The deposits required to be paid to the Village Collector in addition to the permit fee for moving buildings shall be as follows:

For buildings less than two stories in height.....$ 50.00

For buildings two or more stories in height.... 100.00

Section 160. THE VILLAGE MAY REPAIR DAMAGES. If a house mover damages any pavement, street, alley, walk, pole, wire or other property in performing the work authorized by the permit, the Chairman of the Building Committee shall have the same repaired and restored as fully and thoroughly as possible to their previous condition. For any damage which, from its nature, cannot be repaired (as that to trees) the said Chairman of the Building Committee shall estimate a fair and equitable sum which, together with expense incurred by the Village for repairs and superintendence, shall be retained by the Village Collector from the amount deposited by the house mover. If the cost of restoring the damage so done exceeds the deposit made, the house mover shall be liable for the excess cost and shall promptly pay same to the Village Collector on demand of said Village Collector. If no damage is done, or if the cost of restoring any damage that may be done is less than the deposit made by the house mover in obtaining the permit, the said Chairman of the Building Committee shall certify to the Village Collector the portion of the deposit to which the depositor is entitled. The Village Collector shall promptly return to the depositor such portion as said Chairman of the Building Committee certifies should be so restored.

GARAGES.

Section 161. GARAGE DEFINED. The word "garage" as used in this chapter shall be construed to mean and include any barn, stable, building or that portion of a building wherein are housed one or more self-propelled vehicles; also all parts of buildings and all adjoining structures or buildings not separated from the garage proper by walls of brick or concrete extending at least three feet above the roof and having openings (if any) protected on both sides of walls by approved automatic fire doors, constantly closed except when necessarily temporarily opened for passage.

Section 162. PRIVATE GARAGE DEFINED. A private garage shall be held to mean a garage used for housing the vehicles of the owner and which are not used for let for hire or reward.

Section 163. PUBLIC GARAGE DEFINED. The word "Public Garage" as used in this chapter shall be held to mean, and is hereby defined as meaning any barn, stable, building or other place within the city where automobiles, autocars or any similar self-propelled vehicles are kept, repaired or let for hire or reward to any person, whether such vehicle be so hired out or let with or without an operator for same, or where such vehicles are kept ready for use and where rent is paid to the keeper thereof for such keeping.

Section 164. PRIVATE GARAGES—REQUIREMENTS AS TO CONSTRUCTION. A private garage housing not more than two vehicles may be of frame construction as defined by this code. If living quarters are located in such building, the interior walls and the ceiling of the room in which the vehicles are housed shall be plastered with cement plaster on metallic lath and the floor of the vehicle room shall be fireproof, and the living quarters shall have a direct communication to the ground with no opening into the vehicle room. A private garage housing not more than four vehicles may be of frame construction as defined by this code; *provided* there are no living quarters in the building and it is not located within fifty feet of any other building. A private garage housing more than two and less than five vehicles, if containing living quarters, or if located within fifty feet of any other building, shall be at least ordinary construction as defined by this code. No such garage shall exceed two stories and attic in height;

and the floor of the vehicle room shall be constructed fireproof. The living quarters or sleeping rooms, if located above the ground floor, shall have a stairway enclosed by slow-burning walls, with no door or opening therein communicating directly with the vehicle room; and if located on the ground floor, the living quarters shall be separated from the vehicle room by a slow-burning wall having no door or opening therein communicating directly with the vehicle room. Private garages housing more than four motor vehicles shall comply in all details as to construction with the provisions of this code pertaining to public garages.

Section 165. PUBLIC GARAGES--REQUIREMENTS AS TO CONSTRUCTION. No frame buildings shall hereafter he constructed, converted or used for the purposes of a public garage as defined by this chapter. The floors in the vehicle room or rooms of public garages shall be constructed fireproof. Every building two stories or more in height hereafter constructed for the purposes of a public garage or converted to such use, shall be fireproof construction; unless equipped throughout with a system of automatic sprinklers approved by the Village Board, in which event the building may be ordinary construction. No living quarters or sleeping room shall be permitted to be constructed or used over a public garage as defined in this chapter, except in case the entire building is constructed fireproof or except in case the building does not exceed two stories in height and has the ceiling of the first story constructed or made fireproof.

Section 166. STOVES AND FURNACES PROHIBITED--HEATING BY HOT WATER OR STEAM—BOILER ROOM CONSTRUCTION AND USES. No stove or hot air furnace shall be used or allowed in any public garage. Heating shall be by means of hot water or steam. Hot water or steam boiler or boilers located in a public garage, shall be enclosed in a room having no opening or openings; except to the outside of the building. Boiler rooms shall have walls, ceilings and floors of brick or concrete; walls shall not be less than eight inches thick; *provided,* however, that boiler rooms located on or above the ground floor in buildings occupied as public garages prior to the adoption of this ordinance, may have impervious walls and ceilings constructed of wire lath or metal framing, plastered on both sides with rock plaster, or six inch hollow tile plastered on both sides, or brick or concrete, but the floors,

if wood, must be replaced by fireproof floors or covered by fireproof material. Boiler rooms shall be no larger than is necessary to accommodate the boilers, and provide adequate working space; *provided,* however, that space may be provided for storing coal, installing such non-hazardous machinery as air-compressors, steam engines and water pumps, doing forge and grinding work, and soldering by use of electric soldering irons.

Section 167. FLAME AND FIRE HEAT PROHIBITED—EXCEPTION. No flame, fire or fire heat shall be used in any story of a public garage where vehicles containing volatile inflammable liquid are housed; *provided,* however, that forges, emery wheels, and flame soldering iron heaters may be used in such stories if enclosed in a room of incombustible or fireproof material having approved self-closing, iron or tin-clad doors on openings and thoroughly ventilated to the outside.

Section 168. INCANDESCENT ELECTRIC LAMPS REQUIRED—PROTECTION OF MOVABLE LAMPS. All electric dynamos and motors, not actually a part of a vehicle, shall be located not less than four feet above the floor. Lighting shall be by means of incandescent electric or other approved lamps only. Movable lights shall be protected by vapor-tight globes, enclosed in approved metal cages, and shall be fitted with approved keyless sockets and portable cord. All electric switches and blocks shall be permanently located at least four feet above the floor in stories where vehicles containing volatile inflammable liquid are housed; *provided,* however, that switches or blocks located closer than four feet to the floor on the date of passage of this ordinance shall not be required to be removed if, in the judgment of the Chairman of the Building Committee, such installation is safe.

Section 169. COMPARTMENT FOR ELECTRIC CHARGING APPARATUS. Where electric charging apparatus is installed in a story of a public garage where vehicles containing volatile inflammable liquid are housed, all such apparatus shall be enclosed in a compartment constructed of wire screen of not smaller than six-gauge wire, and not more than two-inch mesh, or otherwise protected against mechanical injury. No batteries shall be tested in any story of a garage where vehicles containing volatile inflammable liquid are housed, except by means of a volt meter.

Section 170. GASOLINE PUMPS. The pumps or devices placed in public garages for the purpose of drawing off or discharging volatile inflammable liquid, shall be located on the ground floor near an entrance or other well ventilated place if possible, and be protected against mechanical injury. The surroundings shall be kept clean and free from oil.

Section 171. VOLATILE INFLAMMABLE LIQUIDS—HOW HANDLED—APPROVED HOSE. No volatile inflammable liquid shall be kept in a public garage except that contained in soldering iron heaters used in rooms specified in Section 167, and in the reservoirs of motor vehicles and in the measuring pumps for filling; *provided,* however, that there shall be in every public garage, an approved sealed portable filling tank, to be used in transferring such liquids from the storage tank. The reservoirs of motor vehicles shall be filled directly through hose from pump attached to such portable tank, or through hose attached to a permanent filling station connected with the main storage tank. No transfer of volatile inflammable liquids in any public garage shall be made with open containers. Hose for use in connection with the permanent filling station of portable tank shall not exceed ten feet in length.

Section 172. VOLATILE INFLAMMABLE LIQUIDS FOR CLEANING. No volatile inflammable liquid, except kerosene shall be used in a public garage for the purpose of cleaning, or for any purpose other than filling the reservoirs of motor vehicles or the filling of soldering iron heaters used in rooms specified in Section 167.

Section 173. OIL AND GREASE TRAPS AND SEPARATORS. There shall be no direct connection between any garage waste basin, sink, floor drain or waste pipe and any house drainage or sewer system. All such drains or waste mains to sewer system shall have intercepting grease, oil and inflammable liquid traps or separators which will completely separate such substance from water and sewerage and allow their safe and convenient removal. Such traps shall be ventilated in the same way as is required for tanks holding volatile inflammable liquids. Grease, oil, etc., removed from such traps or separators shall be disposed of in a method approved of by the Chairman of the Building Committee.

Section 174. CLEANLINESS—WASTE CANS REQUIRED —CARE OF OILY CLOTHES. All garages must be kept clean. Grease, oil or paint soaked rags, waste or other combustible materials of like character shall be kept in approved self-closing metallic receptacles having metallic legs at least three inches high and securely braced. One such receptacle shall be provided for each twenty-five hundred square feet or fractional part thereof of floor area in stories where workshops are located or vehicles containing volatile inflammable liquid are housed. Such receptacles shall be safely clear of all combustible surroundings and their contents shall be wholly disposed of at least once each day. Oily and greasy clothing shall be cared for in non-combustible and well vented closets, safely located.

Section 175. SAND, FIRE EXTINGUISHERS, ETC. In every public garage there shall be in each story in which vehicles containing volatile inflammable liquids are housed constantly kept and maintained convenient receptacles filled with fine, dry sand to be used for absorbing the waste oils on the floor. There shall be for fire extinguishing purposes a supply of sand, chemical extinguishers and fire axes.

Section 176. SMOKING PROHIBITED—NOTICE. No person shall smoke in any part of a garage except in an office or show room separated by walls, floors or partitions from that part in which vehicles containing volatile inflammable liquid are housed. A notice in four-inch or larger letters reading, "Smoking prohibited by Village Ordinance" shall be continually and conspicuously displayed at the entrance or entrances of each public garage at the place or places where volatile inflammable liquids are drawn or discharged and at such other places as may be required by the Chairman of the Building Committee, but in no case shall there be less than one such sign on each floor of a public garage.

BILLBOARDS, SIGNBOARDS AND SIGNS.

Section 177. BILLBOARDS AND SIGNBOARDS ON BUILDINGS—CONSTRUCTION—EXCEPTIONS. No billboard, signboard or electric sign shall be erected or placed upon or above the roof of any building or structure within the limits of the Village of Kenilworth; and it shall be unlawful for any person, firm or corporation to attach any billboard or sign-

board to the front, sides, or near walls of any building, unless the same shall be placed flat against the surface of the building and safely and securely anchored or fastened thereto.

Section 178. WOODEN BILLBOARDS OR SIGNBOARDS —CONSTRUCTION—SIZE—EXCEPTIONS. No billboard or signboard other than as provided for in Section 177 shall exceed twelve square feet in area. Billboards or signboards not exceeding twelve square feet in area may be built of wood or other material, and shall be safely and securely anchored or fastened.

Section 179. PENALTY. Any person, firm or corporation owning, operating, maintaining or in charge, possession or control of any billboard or signboard within the Village, who shall neglect or refuse to comply with the provisions of this chapter, or who erects, constructs or maintains any billboard or signboard that does not comply with the provisions of this chapter shall be fined not less than twenty-five dollars nor more than two hundred dollars for each offense; and each day on which any such person shall permit or allow any billboard or signboard owned, operated, maintained or controlled by him to be erected, constructed or maintained in violation of any of the provisions of Sections 177 and 178 of this chapter shall constitute a separate and distinct offense.

ELECTRICITY.

Section 180. ELECTRIC WIRING, ETC., TO BE UNDER THE SUPERVISION OF THE CHAIRMAN OF THE BUILDING COMMITTEE—MUST CONFORM TO THE RULES AND REGULATIONS OF THE NATIONAL BOARD OF FIRE UNDERWRITERS KNOWN AS THE "NATIONAL ELECTRICAL CODE." The installation or alteration of any and all electric wiring, connections, and apparatus in or on any building, and above, beneath and upon the surface of the streets and alleys and public places in the Village of Kenilworth shall be under the supervision of the Chairman of the Building Committee. All electrical equipment hereafter erected, altered, repaired, added to or changed within the Village of Kenilworth shall conform to what is commonly known as the "National Electrical Code," a copy of which said code as now existing and hereby approved and adopted for the purpose aforesaid, is now on file in the office of the Village Clerk. The

said rules and regulations are hereby made a part of this ordinance except that concealed wiring known as the "knob and tube" system shall not be permitted. Meters, house services, and meter connections shall be located, installed and connected satisfactory to the Chairman of the Building Committee.

Section 181. APPLICATIONS—CONTENTS—PERMIT. All persons or corporations desiring to install wires or other apparatus for the use of electrical energy for any of the purposes mentioned in the foregoing section shall, before commencing or doing any electrical construction work of any kind whatever, either installing new electrical apparatus or repairing apparatus already in use, file an application for a permit therefor in the office of the Village Clerk, which application shall describe in detail such material and apparatus as it is desired to use, with a full description of the same, giving the locality by street and number, and countersigned by the person under whose supervision the work is to be done; and upon the filing of which application, if found proper, such permit shall be issued. The person, firm or corporation so filing such application for permit shall, upon payment of a fee of one dollar to the Village Clerk for the same, be granted a permit therefor provided the work proposed and the material and apparatus specified therein conform to the provisions of the ordinances pertaining thereto; but not otherwise. Any person, firm or corporation who shall do or attempt to do electrical construction work, whether original work or alterations, without giving notice in writing to the Village Clerk and obtaining a permit to do such work as above provided, shall upon conviction thereof be fined in the sum of not less than ten dollars nor more than two hundred dollars for each offense. But nothing herein contained shall be construed as exacting a permit for ordinary repairs or minor alterations of present working systems.

Section 182. INSPECTION—PROCEEDINGS. The Chairman of the Building Committee shall have the right and power to cause all electrical wires and apparatus now installed or hereafter installed in or on any building in the Village of Kenilworth to be inspected in order to ascertain whether the electrical wiring or apparatus is in any respect dangerous to life or property; and if any part of said electrical wires or apparatus shall be found dangerous to life or property, the

Chairman of the Building Committee shall notify the owner or occupant of the building, or the owner of such equipment to cease using the electric current in such dangerous equipment, and to have the defects in said equipment repaired within a reasonable time, not exceeding ten days from date of notice. The Chairman of the Building Committee is also authorized and directed to give written notice to the company furnishing the electric current to any such dangerous equipment to cease to supply same until defects are repaired. And when, upon inspection, it shall be determined that said defects are remedied as herein provided, said Chairman of the Building Committee shall issue a certificate of inspection as herein prescribed, and the said owner or occupant shall pay for such certificate of inspection, the amount of fees provided for in Section 189. And no person or persons, firm or corporation shall use such apparatus until said certificate is issued.

Section 183. RIGHT OF CHAIRMAN OF THE BUILDING COMMITTEE TO ENTER PREMISES, ETC. The Chairman of the Building Committee, or persons appointed by him as inspectors, or assistants shall have the right during reasonable hours, and in such manner as not to unreasonably interfere with the safe and proper operation of the apparatus or equipment inspected or tested, to enter any building, manhole or subway in the discharge of his official duty; and for such purposes the said Chairman of the Building Committee shall be given prompt access to all buildings, manholes and conduits, public or private, on his application to the company or owner, agent or person in charge or control of same.

Section 184. TO ISSUE CERTIFICATES. When a test has been made of an electrical apparatus or equipment herein required to be inspected, and the same is found to be in good repair and condition, the inspector making such test shall deliver to the Village Clerk for collection of fees a certificate of inspection. On payment of such fees, said Village Clerk shall deliver to the person or persons for whom the test was made a certificate of inspection. Said inspector shall also promptly file with said Village Clerk a full and complete report of such test, giving the date of the inspection; for whom made; location and general description of the apparatus or equipment tested; for what purpose said apparatus or equipment is used; the test employed, and the results obtained. The certificate of inspection and report of inspection herein men-

tioned must bear the same number and date, which date shall be that of which the test was completed.

Section 185. CERTIFICATE TO BE TAKEN OUT WITHIN TEN DAYS—PENALTY. Any person or persons neglecting to take out a certificate of inspection, and who shall fail, neglect or refuse to pay the prescribed fees for inspection and certificates to the Village Clerk, and obtain the certificate of inspection as hereinafter directed, within ten days after notice in writing, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined in a sum not less than ten dollars nor more than two hundred dollars.

Section 186. CHAIRMAN OF THE BUILDING COMMITTEE TO ISSUE CERTIFICATE—PROCEEDINGS. The Chairman of the Building Committee shall issue in the name of person or persons for whom such inspection has been made, as hereinbefore provided, a certificate of inspection, which certificate said Chairman of the Building Committee shall transmit to the Village Clerk, who upon receipt of the prescribed fees shall deliver said certificate bearing his receipt for said fees to the person or persons in whose name the certificate is issued. Said Chairman of the Building Committee shall also promptly transmit to the Village Clerk who, on receipt of prescribed fees, shall issue to the person, firm or corporation installing the electric lighting fixtures a certificate of inspection.

Section 187. DEFECTS IN APPARATUS—PROCEEDINGS. In case such inspection shows a defect in any electrical apparatus or equipment, subject to inspection in the Village of Kenilworth, such defect shall be reported in writing to the person or persons for whom the test is being made, using blanks furnished by the Village for that purpose, giving a description of the character of the defect. If the defect is of a dangerous character, necessitating immediate repair, the Chairman of the Building Committee shall forthwith condemn the apparatus or equipment for further use, or until the same is repaired or renewed. If the defect is of a character such that the apparatus or equipment may be safely operated for a period of some days pending repairs, the Chairman of the Building Committee shall so report, and name the number of days during which the same may be operated. A duplicate of all such reports shall be promptly filed in the office of the Village Clerk.

Section 188. VIOLATION OR DISREGARD OF ORDINANCE BY OWNERS—PENALTY. Any person or persons owning, controlling or using any electrical apparatus or equipment, subject to inspection under the provisions of this chapter, for a longer period, pending repairs, than specified in such inspection report, or who shall use or attempt to use such apparatus or equipment after the same has been condemned by the Chairman of the Building Committee for further use, and before the same has been fully repaired or renewed and an order for a certificate of inspection obtained thereon, in the manner above prescribed, or who shall refuse the Chairman of the Building Committee or assistant admittance to the premises where such apparatus or equipment is located for the purpose of making such inspection or test, or shall needlessly hinder such inspection or test, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in a sum not less than ten dollars nor more than two hundred dollars for each offense.

Section 189. FEES FOR PERMITS AND INSPECTION OF WIRING OR ELECTRICAL APPARATUS. The fees for permits and inspection certificates of the wiring or equipment of any building or of any electrical apparatus to be paid to the Village Clerk by the owner, agent or person in control thereof, for the use of said Village, shall be as follows:

Permits for all electrical work.....$1.00

Wiring for incandescent lighting.....$1.00
(Plus 5c per outlet, switches to be included as outlets.)

Wiring for arc lighting, motion picture or stereopticon..$1.00
(Plus 25c per outlet, switches to be included as outlets.)

Motors $2.00
(Plus 5c per HP. of 746 watts or fraction thereof.)

Fixture hanging certificates.....$1.00
(Plus 5c per fixture.)

For inspection of all electrical apparatus or equipment for which no fee is herein specifically prescribed, the charge for inspection shall be $1.00, plus not to exceed $1.00 per hour for the time actually consumed by each inspector engaged in making the test or inspection.

Section 190. POLES—PERMITS FOR ERECTION OF. No poles for the carrying of electric or other wires or cables shall be erected in any street or alley of said Village without the written permission of the Chairman of the Building Committee first had and obtained, and all such permits to erect poles in any streets or alleys in the Village hereafter issued shall provide that said Village may use the poles to be erected for the purpose of attaching thereto such necessary cross-arms, wires or other electrical appliances as may be deemed necessary by the Village authorities for the fire and police signal service of said Village.

Section 191. POLES AND UNDERGROUND CONSTRUCTION—FEES FOR PERMITS. Before the Chairman of the Building Committee shall issue any permit for the setting or replacing of poles for the support or accommodation of electric conductors of any description whatever, or for the opening of any trench for underground construction, the applicant shall pay to the Village Clerk as a fee for such permit one dollar, plus ten cents for each pole proposed or required to be set or replaced; and one dollar, plus one cent per linear foot of trench proposed to be opened for such underground construction, under the permit sought; *provided,* nothing herein contained shall be construed as exacting a fee for replacing a pole or poles broken by accident or storms, or for shifting poles from one position to another under orders issued by the Chairman of the Building Committee.

Section 192. NOTICE OF HIDDEN WORK—RIGHT TO UNCOVER WORK COVERED BEFORE INSPECTION—COST OF SAME. Any person, firm or corporation installing electric wires or equipment in any building in the Village of Kenilworth which is to be hidden from view shall notify the Chairman of the Building Committee of said Village of Kenilworth, in writing, of such intended installation at least twelve hours before the work is to be covered, and no such work shall be covered until inspection thereof has been made as herein required. In all cases where such notice has not been given or such work has been covered without inspection thereof, as herein provided, the Chairman of the Building Committee is authorized to take down or remove such portions of the building or structure as shall be necessary for the inspection of such electric wires or equipment, as herein required, and the

cost of replacing such work so removed by said Chairman of the Building Committee shall be borne by the person, firm or corporation who has failed to give notice of the installation thereof, or by the person who has covered such work after such notice and before inspection thereof as herein provided, as the case may be.

Section 193. DEAD WIRES OUTSIDE OF BUILDINGS TO BE REMOVED—WHEN—NOTICE—PENALTY. Said Chairman of the Building Committee shall have the right to cause all dead wires outside of buildings in said Village to be removed at the expense of the owner or owners of said wires by giving said owner or owners ten days' written notice so to do; and if the owner or owners fail or neglect to remove such wires within ten days after receipt of such notice, he or they shall be subject to a fine of not less than five dollars nor more than twenty-five dollars for each and every forty-eight hours such wire or wires are permitted to remain in place after the expiration of the time fixed in said notice for the removal of same as aforesaid.

Section 194. DEFECTIVE WIRES—POWER OF CHAIRMAN OF THE BUILDING COMMITTEE TO CONDEMN—NOTICE TO REMOVE SAME. Said Chairman of the Building Committee shall have the right to condemn wires which are defective and dangerous to life or property, and shall notify the owner of such wires, in writing, to remove or replace the same with new wires.

PLUMBING.

Section 195. CERTIFICATE OF COMPETENCY REQUIRED. Any person now engaged in, or hereafter engaging in, or working at, the business of plumbing in the Village of Kenilworth, either as a master plumber or employing plumber, or as a journeyman plumber, shall obtain a certificate as to his competency to engage in such business, as required by the Department of Registration and Education at Springfield, Illinois.

Section 196. PERMIT FOR WORK NECESSARY—BOND. No plumbing work of any kind, except the repairing of leaks within buildings, shall hereafter be done within said Village, without a permit being first issued therefor by the Village Clerk. And no such permit shall be issued by said Village

Clerk unless the person applying therefor shall hold a state certificate or a renewal, as prescribed in the above section and shall have filed within a year preceding such application, in the office of the Village Clerk, a bond in the sum of $5,000, with sureties to be approved by the Village Board, conditioned, among other things, that the applicant will indemnify and save harmless the Village of Kenilworth from all accidents and damages arising from any negligence or unskillfulness in the execution or protection of his work or from any unfaithful or inadequate work done under or by virtue of any permit that may be issued to him by the said Village Clerk, and that he will also, if required by the Village, restore the streets, sidewalks and pavements over any pipe he may lay, and fill all the excavations made by him so as to leave said streets, sidewalks and pavements in as good state and condition as he found them, and will keep and maintain the same in good order for a reasonable time thereafter, to the satisfaction of the Chairman of the Committee on Streets; and further conditioned that he will pay all fines that may be imposed upon him for a violation of any ordinance, rule or regulation adopted by the Village Board relating thereto, and that he will conform to all the lawful regulations of the Village pertaining to the business of plumbing, in accordance with the ordinances of the Village.

Section 197. PERMIT—DOING WORK WITHOUT—PENALTY. Any person who shall lay any water pipe, or introduce into or about any building or on any grounds, any water pipe, or do any work in any building or on any grounds, for the purpose of connecting such pipes or work with the pipes of the water works of the Village of Kenilworth, or of preparing them for such connections, with the view of having such premises, fixtures or appliances supplied with water, or who shall make any additions to or connect any water pipe, bath, water closet, stop cock or other fixture or apparatus without having first obtained a permit for doing such work from the Village Clerk, shall be subject to a fine of not less than ten dollars and not exceeding two hundred dollars. No unwritten permit will be recognized.

Section 198. INSPECTION FEE BEFORE PERMITS ARE ISSUED. Before permits are issued, the following fees for inspection shall be paid to the Village Collector when plumbing plans are submitted: The sum of fifty cents shall be paid for the inspection of each fixture, and for each and every addi-

tional fixture thereafter installed, or for which waste or vent fittings are installed; the Village to furnish the necessary peppermint for the final testing of work.

DEFINITION OF TERMS.

Section 199. PLUMBING. The term "plumbing" shall be held to include and govern all work and material in introducing, maintaining, extending, or repairing a pipe or pipes, or any appurtenance in any building, lot or premises, which is in any manner connected with the general household water supply system. In installing, connecting or repairing any system of draining whereby foul waste or surplus water or other waste matter is discharged through a pipe or pipes from a building or fixture to the house sewer, or any other point of disposal. In excavating in any public or private property for the purpose of and for connecting or repairing the service pipes of any building, lot or premises. And generally in performing all classes of work usually done by plumbers.

Section 200. DRAIN LAYING. "Drain laying" as herein regulated is hereby defined to include the connection with the public or private sewer, cess pool or septic tank and such pipes as may be laid beneath the surface and more than two feet outside the foundation walls of buildings to be drained, if such building contains plumbing, or which may be intended solely to drain the foundation walls, cellars and roof water of buildings which do not contain plumbing.

Section 201. MAIN SEWER—PRIVATE SEWER. The term "main sewer" shall apply to the main sewer in the street which is connected with the general sewerage system of the Village of Kenilworth. The term "private sewer" shall apply to any main or branch sewer located either on public or private property not constructed or accepted by the Village which conveys the drainage of one or more buildings or building sites to its outlet.

Section 202. HOUSE SEWER. The term "house sewer" is applied to the vitrified sewer which shall be not less than six inches nor more than nine inches internal diameter and which begins two feet outside of the wall of a building and connects the house drain with the public sewer in the street, or with a septic tank or cess pool on the same premises.

Section 203. HOUSE DRAIN. The term "house drain" is applied to the pipe within any building which receives the total discharge from any fixture or set of fixtures and may or may not include rain water, and which conducts or carries the same to the sewer. The house drain, when rain water from a roof exceeding 1,500 square feet in area is allowed to discharge into it, shall be not less than six inches internal diameter.

Section 204. CONDUCTOR PIPE. "Conductors" or "roof leaders" are conveyors which carry the storm or rain water from the roofs of buildings to the sewer, house drain or ground.

Section 205. RAIN WATER LEADERS. "Rain water leaders" shall be applied to that part of the rain water conductor, located on the outside of the building, from the gutter to the connection with the iron sewer connection above the ground.

Section 206. DOWN SPOUT. "Down spout" shall be applied to that part of the rain water conductor, located on the outside of the building, from the joint with the rain water leader pipe, extending vertically down to the trap and sewer or house drain branch; or when such conductor pipe is located on the inside of the building, the iron or other approved pipe, connecting with the gutter and extending down to sewer as described above.

Section 207. SUB-SOIL DRAIN. "Subsoil drain" is that part of a drainage system which conveys the sub-soil, ground or seep water from the foot of walls or below the cellar bottom under buildings to the sewer, but independent of the house drain.

Section 208. TILE SEWER OR DRAIN. "Tile sewer" or "drain" is any sewer or drain constructed of vitrified earthenware pipe with bell and spigot ends.

Section 209. DRAIN TILE. "Drain tile" is earthenware or cement pipe without bell end.

Section 210. BACK FLOW. "Back flow" is a term which denotes the reversal of flow in a drainage system.

Section 211. DEAD END. "Dead end" is that part or branch of a drainage system which is without a free circulation of air and has no means of flushing same.

Section 212. CATCH BASIN. "Catch basin" is a water tight receptacle built to intercept waste water which may con-

tain sediment from surface, sub-soil, gravel roof or stable drainage, grease or oils, or from steam or hot water boilers before overflowing into sewer or drain.

Section 213. TRAP. "Trap" is a fitting so constructed as to prevent the passage of air or gas through a pipe without materially affecting the flow of sewage or waste water therein.

Section 214. TRAPS—DEPTH OF SEAL. "Depth of seal" of a trap is the height of the water column measured between the point of overflow and the dip or division level separating the inlet and outlet arms of the trap.

Section 215. STACK. "Stack" is a general term for any vertical line of pipe used for the purpose of conveying soil or waste matter or for ventilation extending through two or more floors.

Section 216. MAIN SOIL PIPE. "Main soil pipe" is applied to any pipe receiving the discharge of one or more water closets with or without other fixtures and extending through the roof.

Section 217. BRANCH SOIL PIPE. "Branch soil pipe" is applied to any pipe receiving the discharge from one or more water closets and with or without other fixtures, and leading towards and connecting with the main soil pipe, but not necessarily extending through the roof.

Section 218. WASTE PIPE—OPEN WASTE. "Waste pipe" is applied to any pipe receiving the discharge from any fixture or fixtures other than water closets or urinals. "Open waste" shall apply to waste pipes from fixtures or apparatus which discharge into an open trapped and properly sewer connected fixture.

Section 219. VENT PIPE. "Vent pipe" is applied to any pipe provided to ventilate a system of piping, and to which the re-vents are connected.

Section 220. MAIN VENT. "Main vent" is applied to the vertical line of air pipe running through two or more floors to which the vent or revent pipes from the various floors are connected.

Section 221. REVENT PIPE. "Revent pipe" is applied to any pipe used to prevent trap siphonage and back pressure.

Section 222. SOIL VENT OR WASTE VENT. "Soil vent" or "Waste vent" is applied to that part of the main soil pipe

or waste pipe which is above the highest installed fixture waste connection and extending through the roof.

Section 223. LOOP VENT. A "Loop vent" is a circuit vent where the branch or branches of soil or waste pipes of any floor, having no other fixtures or branches installed above them, loop over above the fixtures and reconnect with the main soil or waste vent lines.

Section 224. CIRCUIT VENT. A "circuit vent" is a system of venting by which siphonage and back pressure on the seal of traps is prevented by extending the branch soil or waste pipes, and connecting them with a vent stack main, which main, in connection with the main soil or waste vents, form a continuous air circuit or vent for each branch line so installed.

Section 225. LOCAL VENT. "Local vent" is a pipe by which the foul air in water closet bowls or other plumbing fixtures is removed.

Section 226. PREMISES. "Premises" includes any house, building or structure or parcel of land in the Village of Kenilworth.

Section 227. WORK. "Work" includes any operation involving the construction, reconstruction, renewal, addition to or extension of any plumbing or drainage system, or any part thereof, for which a permit is required under this code.

Section 228. SIZES AND LENGTHS. The given caliber or size of pipe is for a standard internal diameter, except for brass pipe other than iron size; "lengths of pipes" is the developed length along the center line.

Section 229. SPACING. The distance of lines of pipes from each other is the distance taken at a right angle between centers of pipes. The spacing of fixtures from pipes is the developed length of the waste or branch line, measured between centers of pipes and the seal of the fixture trap.

Section 230. DISTRIBUTING MAIN. "Distributing main" shall be applied to that part of the piping for water or gas which extends from the main controlling valve to the farthest riser.

Section 231. DISTRIBUTING RISER. "Distributing riser" shall apply to that part of the water or gas piping which extends vertically from the distributing main to the floor or floors above.

Section 232. DISTRIBUTING BRANCH. "Distributing branch" shall apply to that part of the water or gas piping which extends from the distributing main or riser to supply two or more fixtures.

Section 233. SUPPLY PIPE—SERVICE PIPE. "Supply pipe" shall apply to that pipe which serves any fixture. "Service pipe" shall apply to any pipe supplying any building or premises.

Section 234. PITCHED ROOF. Any roof of which the angle included between a straight line drawn from the eaves to the highest point of such roof and a horizontal line exceeds ten degrees shall be considered a pitched roof.

Section 235. GARAGES—PUBLIC AND PRIVATE. For the purpose of the plumbing code the term "public garage" shall be applied to any building or structure used for the purpose of housing or storing automobiles, or any similar self-propelled vehicle, five or more in number, or having a floor area of one thousand square feet or more, and the term "private garage" shall be applied to any building or structure used for the purpose of housing or storing automobiles, or similar self-propelled vehicles, not to exceed four in number and not over one thousand square feet in floor area.

Section 236. FIXTURE. The term "fixture" shall be applied to any water or sewer-connected apparatus or receptacle or combination of such.

SANITARY REQUIREMENTS IN DIFFERENT BUILDINGS.

Section 237. PRIVATE RESIDENCE. All residences when located where a water supply and a sewerage system are available shall be provided with a sanitary equipment as follows: At least one water closet and one sink shall be provided for every such residence; when such private residences shall contain more than fourteen rooms, the waste from all sinks and other fixtures likely to contain greasy matter shall discharge into an intercepting basin before being connected with the sewer or house drain.

Section 238. STORES. Where a water supply and sewerage system are available stores shall be provided with not less than one water closet and one sink or lavatory for each store. The toilet room for such stores shall not open directly into store but first open into a hallway or vestibule, and the door for

such room shall be provided with a proper spring for keeping such door closed, and the walls for such hallway or vestibule shall extend from floor to ceiling and shall be made tight. The sink shall be installed so that the waste from an ice box may drip into same, and when any fixture in said store is set so its top is below the street grade a standard back water valve shall be provided.

Section 239. GARAGES—PUBLIC. Where a water supply and a sewerage system are available public garages shall be provided with the following sanitary equipment: Not less than one water closet and sink. Floor shall be constructed of cement or some other material equally impervious to moisture. Not less than one four-inch floor drain shall be provided. Said drain and sink shall not be connected direct with sewer, but all such wastes shall have intercepting grease, oil and inflammable liquid traps or separators which will completely separate such substance from water and sewage and allow their safe and convenient removal. Traps and basins shall be located outside of building if possible and shall be ventilated through a four-inch cast iron pipe carried through roof as other vent pipes.

Section 240. GARAGES—PRIVATE. All buildings with three hundred square feet or more of floor area to be used for housing or storing automobiles, gasoline or electric, located where a water supply and sewerage system are available shall be provided with a sanitary equipment as follows: Not less than one faucet or hydrant and not less than one floor drain four inches in diameter. The opening in floor to have heavy barred strainer and such floor drain shall waste into a proper intercepting basin before entering main sewer. Basin shall be ventilated through a pipe not less than four inches in diameter. A down spout pipe may serve as such vent. Floor to be of cement or some other material equally impervious to moisture and to pitch to said drain. When such connection is not available, the floor drain will not be permitted. Blind basins are strictly prohibited.

Section 241. BARNS OR STABLES. Where a water supply and a sewer system are available the following sanitary equipment shall be provided for barns or stables: Open trough back of stall or stalls drained through a properly trapped waste protected from frost. Opening to drain to be protected with

heavy barred iron strainer, said waste to empty into intercepting catch basin placed outside of building and ventilated through a four-inch downspout or other suitable vent pipe. An adequate water supply shall be provided, placed or arranged so that said trough and floor can be thoroughly flushed. Floor shall be constructed of cement or some other material impervious to moisture, except that tight matched planking may be used as a floor in the stall or stalls, said planking to be laid on the above specified floor.

GENERAL REGULATIONS.

Section 242. DEFECTIVE PLUMBING AND DRAINAGE —OFFICIAL EXAMINATIONS—ABATING A NUISANCE. Whenever it shall come to the knowledge of the Health Commissioner, or complaint shall be made by the owner or occupant that the plumbing or drainage in any building has become a nuisance, or is contrary to the provisions and requirements of this code, or is of faulty construction and liable to breed disease or endanger the health of the occupants, then the Health Commissioner shall direct an examination to be made of the plumbing or drainage in any such building. Said Health Commissioner shall report his findings in writing, and shall suggest such changes as are necessary under this code. The owner, agent or occupant shall be notified of the changes which are necessary to be made. Said changes shall be made within the time fixed in such notifications. Upon refusal or neglect to obey such orders, legal proceedings shall be instituted to have such changes made and said nuisance abated.

Section 243. SUPPLY TO FIXTURES. Water supply to fixtures shall be through pipes of a size adequate to supply same. Distributing risers shall be provided with an air chamber formed by continuing the riser pipe two feet beyond the last branch taken from such riser. Fixture branches shall be provided with an air chamber formed by continuing the supply pipe at least sixteen inches beyond the last branch opening. All water supply pipes shall drain to the main building stop cock so that the entire system may be emptied. Where the trapping of any portion of such pipes is unavoidable, a tee or tees with a plug or pet cock shall be provided and placed conveniently so that such trapped pipe or pipes can be drained.

Section 244. HOT WATER SUPPLY—CHECK AND RELIEF VALVE NECESSARY. The water supply pipe to range boilers or hot water storage tanks of any description under pressure must be provided with standard check and relief valves, the blow-off to waste into an open properly connected fixture.

Section 245. EXPANSION JOINTS. Long sections of pipe shall be so placed that undue strain to any part thereof, through expansion or contraction, cannot occur.

SEWERS AND DRAINS.

Section 246. NOT TO LAY HOUSE SEWERS OR DRAIN TILE WITHOUT PERMIT. No master sewer builder or drain layer shall lay any house sewer or drain tile in the Village of Kenilworth without a permit first obtained from the Village Clerk.

Section 247. LICENSE. No person, firm or corporation shall be granted any permit to lay any drain within the Village of Kenilworth unless he shall have obtained a license as such master sewer builder and shall pay a fee of five dollars therefor.

Section 248. BONDS—AMOUNT OF SAME—HOW OBTAINED. Every person desiring a license shall file with the Village Clerk a petition in writing, giving the name and place of business and asking to become a licensed master sewer builder. Said petition shall be accompanied by a bond with good and sufficient sureties, to be approved by the Village Board, in the penal sum of five thousand dollars, conditioned that he, or they, will indemnify and save harmless the Village of Kenilworth from all accidents and damages caused by any negligence in either the execution or protection of his work, either by himself or anyone acting under his direction, or for any unfaithful or inadequate work done under and by virtue of his license; and that said licensee will conform to the ordinances of the Village, and will pay the cost of restoring any street, alley, sidewalk or pavement disturbed by him, so as to leave same in as good state and condition as he found it. The Village Clerk shall investigate the application and report on the responsibility and skill of the applicant.

Section 249. APPLICATIONS FOR PERMITS—HOW MADE—NATURE OF. Applications for permits to connect

with the general sewerage system of the Village or to lay any drain tile to be connected with said system must be made (on forms to be furnished by the Village) by the owner or owners of the property it is designed to drain, or by their duly authorized agents. The application must be accompanied by a clear and exact description of the premises, the character and location of the drains it is proposed to put in place, the number and location of all water closets, sinks, bath tubs, receiving basins and other sanitary fixtures desired to connect with the same.

Section 250. FEES FOR PERMITS. For each permit to connect with the main sewers the sum of five dollars shall be charged. Where a building shall be located on the rear of any lot, a fee of one dollar shall be charged. For each permit to reconstruct, alter, add or repair the house sewerage, such as replacing broken sewer pipes, soil pipes, waste pipes or traps, or any such work not involving a new connection with the main sewer, the sum of fifty cents shall be charged.

Section 251. CLEANING STOPPED SEWERS—INSTRUCTIONS. When it shall become necessary to break into any tile sewer, trap, or any part of a house sewer system for the purpose of rodding to dislodge any stoppage or obstruction, such break shall be properly repaired by replacing the broken part with a corresponding new part. No patching of such break will be accepted.

Section 252. MAKING CONNECTION WITH SEWER WITHOUT PERMIT—OWNER RESPONSIBLE—PENALTY. Any person who shall for himself or for another, directly or indirectly, make any connection with or opening into any catch basin, brick or pipe sewer, now or hereafter laid in the Village of Kenilworth without first having obtained a written permit in each case from the proper officer, shall be subject to a fine of not less than ten dollars and not exceeding two hundred dollars for each offense.

Section 253. ALTERING HOUSE SEWER OR DRAINS WITHOUT PERMIT—PENALTY. Any person who shall lay, alter or disturb any part of a house sewer or house drain or drains, soil or waste pipe, catch basin, or who shall add any fixtures to, or remove same from any soil or waste pipe drain or drains, connected with any sewer belonging to said Village, without first obtaining a permit therefor, shall be subject to a

fine of not less than ten dollars and not exceeding two hundred dollars for each offense; and shall further be held liable to pay all expenses incurred on account of repairs or damages resulting from such act.

Section 254. NOTICE TO OPEN STREET. Notice must be filed in the office of the Village Clerk before any street or highway can be opened for the purpose of constructing a house sewer. Nothing in this section contained shall render the Village liable to the sewer builder or drain layer or relieve him from the duty and expense of protecting trenches until such time as the Village is able to make the inspections and do any incidental work it is required to perform.

Section 255. OPENINGS IN STREETS—HOW PROTECTED. All openings made in the sidewalks or roadways for the purpose of constructing house drains or private sewers shall be surrounded and sufficiently protected at all hours by ample and sufficient barriers, on which red signal lights shall be placed and maintained after dark, together with such additional precautions as may be necessary for the absolute protection of the traveling public. The conditions of this section are imperative and master sewer builders and drain layers will be held responsible for all claims that may arise from damages to persons or property following neglect or violation of any of its provisions.

Section 256. HOUSE SEWERS—HOW LAID—MATERIALS, ETC. Drainage work on the outside of buildings and between buildings and main sewer shall be constructed of vitrified clay pipe, or other material equally as good and approved by the Chairman of the Streets Committee; and shall be laid, when practicable, with a fall toward sewer connections of not less than ¼ inch to the running foot. All drainage to be constructed to as near a uniform grade and in as direct line to sewer connections as practical. Such pipe and fittings must be of clean and smooth interior, and shall be full area of its respective size. Pipe and fittings shall be put together with a cement mortor composed of one part of Portland cement to two parts of clean, sharp sand. Natural cement may be used for wet trench. Each length of pipe and each fitting shall have solid or tamped earth, or other solid and imperishable material under full length of same. A ¼ bend shall not be used where same can be avoided. No fittings or bend shall be

used to change direction of line of drainage, unless said fitting or bend shall be of a radius of not less than twelve inches. Connection of one line of drainage with another shall be made, where at all practical, with full half "Y" branches. The use of "T" connections is prohibited. Change in direction of any line of drainage shall not be made by the use of mitered pieces of straight pipe, but shall be made by the use of approved fitting of the required angle. The interior of each joint of pipe or fitting laid shall be swabbed out before another joint is made. No clay or tile pipe or fittings shall be constructed inside, or under any building for drainage purposes having an outlet to any sewer except on written permit from the Village Clerk and Health Commissioner. All house sewers run to receive drainage of any kind from buildings shall terminate two feet outside the foundation walls of said building. No tile house sewer shall at any time be laid nearer than two feet to any wall, foundation or footing, except at or nearly perpendicular to the wall or footing. If it should become necessary to place such house sewer nearer to any such wall, foundation or footing, or under any area wall or pier, such house sewer shall be constructed of extra heavy cast iron pipe as for a house drain.

Section 257. JUNCTION PIECES—WHEN FURNISHED BY VILLAGE—FEES FOR SAME, ETC. Whenever it may be found necessary to make a connection between a house drain and the main sewer in the street where no junction piece was originally placed in the latter in front of the lot, the junction piece will be furnished and put in place by the Village at cost.

Section 258. OPEN ENDS TO BE COVERED, ETC. Whenever a drain pipe is connected with a temporary receiving basin for draining excavations made for the foundations of buildings, or for any other purpose, the open ends of all such pipes shall be properly trapped. The master sewer builder will be held strictly responsible for all expenses that may be incurred for removing any sand, gravel or earth from the main sewers which may have found their way therein by reason of the negligence of himself or his employes.

Section 259. DEAD ENDS. In the installation of any sewerage or plumbing system no dead ends will be permitted, except on such repair work where an anti-siphon trap is to be

used as hereinafter provided. In making alterations of any old plumbing or sewerage system, or upon removing any old fixture or fixtures connected at the end of a branch drain, soil or waste pipe, such branch shall be removed its entire length, or provision shall be made for a free circulation of air through same. When such pipe is cut off where it branches from the main, the opening shall be properly closed with a tile cover cemented in, or a cast iron plug calked in, or a threaded cap or plug properly made up.

Section 260. SEPARATE DRAINAGE FOR EVERY BUILDING—EXCEPTIONS. Every building shall be separately and independently connected with a public or private sewer, except where there are two buildings on one lot, one in the rear of the other.

Section 261. FLOOR AND AREA DRAINS—WHERE USED AND HOW CONNECTED. Floor drains may be installed by means of "T" or "Y" fittings inserted in the house-drain and provided with iron and brass cleanout covers; cleanout openings at base of stacks may be utilized for this purpose by inserting such cleanout plug below the floor level. Where the floor of an entrance area to a basement or a ground floor is more than four inches lower than such basement or ground floor, an area drain may be installed as follows: The opening shall be four inches in diameter and provided with a heavy barred strainer set so that it cannot be easily removed. The outlet pipe shall be of cast iron and shall be connected into the sewer through a frost proof trap. All such area drains shall be provided with an approved back water valve, set where it can be conveniently reached for cleaning.

Section 262. RAIN WATER LEADERS—DOWN SPOUTS —TRAPS—EXCEPTIONS. All buildings or parts of buildings unless exempted herein shall be kept provided with proper metallic rain leaders and eave or cornice gutters for conducting rain water from the roof in such manner as shall protect the walls and foundations of the building and adjacent structures from damage. The following structures are exempt from the requirements of this paragraph, *provided* that the roofs are so arranged as to discharge on the premises of which they are a part, draining equally from all the sides of the roof, and in such manner that they do not cause any damage to the same or adjoining property, or become a nuisance to the occupants of same.

Sheds located on the rear of lots, not adjoining any building on the same lot and having a roof area not greater than two hundred and fifty square feet.

Porch, bay-window, or show-window roofs or balconies, not greater in area than twenty-four square feet.

Roofs of rear porches entirely within the lot line and not greater in area than twenty-four square feet.

Section 263. CONSTRUCTION OF RAINLEADERS. Every rainleader located without the walls of a building shall be substantially constructed of galvanized sheet iron, sheet copper or other suitable material, and shall be thoroughly supported in place. Rainleaders run within a building shall be considered a downspout, and shall be constructed in accordance with the requirements of this ordinance. Short connections to rainleader pipes passing through attic or other parts of buildings shall be considered a downspout and shall be constructed of lead pipe or extra heavy cast-iron pipe or galvanized wrought-iron pipe with recessed fittings. No gutter or rainleader shall be of less size than the following:

Roofs containing	Leader	Gutter
Up to 100 sq. ft.	2 inch	4 inch
101 to 500 sq. ft.	3 inch	5 inch
501 to 1500 sq. ft.	4 inch	6 inch
1501 to 2500 sq. ft.	4 inch	8 inch
2501 to 4500 sq. ft.	5 inch	10 inch

The foregoing sizes of rainleaders are based on diameter of circular rainleaders, and gutters are based on semi-circular sheet metal gutters with top dimensions given. Rectangular leaders and gutters or those of other shapes shall have the same sectional area as the circular leaders and gutters given in the table. In all cases where gutters and rainleaders are provided, and there is no public sewer available, such rainleader shall discharge on the ground surface in such manner as to avoid damage to walls or foundations or obstructing of walks.

Section 264. DOWNSPOUT CONSTRUCTION. Every downspout connection to a sewer shall be trapped with a water sealing trap, placed as near as possible to the foot thereof; except that two or more adjacent leaders may be connected together on one trap. A cast iron hub connection

shall be provided above grade at least six inches for the reception of sheet metal leader which shall be thoroughly cemented in every case. No downspout trap shall be of less internal diameter than four inches, and shall be placed at least four feet below the surrounding grade and such iron terminal piece shall be at least two feet six inches long. No downspout or leader pipe shall discharge into any soil or waste stack nor shall any downspout receive waste water from any plumbing fixture.

Section 265. DRAIN TILE—HOW CONNECTED WITH SEWER. When drain tile are placed around any wall, such drain tile shall discharge into a settling basin before being connected with the house sewer or house drain. Should the outlet of such basin be below the house sewer or house drain, or inside the wall or walls of any building, the contents of such settling basin shall be automatically lifted and discharged into a properly connected and water supplied fixture. When such basin is connected with the house sewer, the outlet to such basin shall be provided with a standard back water valve.

CATCH BASINS.

Section 266. CATCH BASINS—CONSTRUCTION—COVERS. Catch basins shall be constructed either of brick, concrete or cast iron. If of brick or concrete, they shall be at least thirty-six inches in internal diameter from the base to one foot above the outlet, and may taper to not less than twenty-four inches internal diameter at the top. Each catch basin shall be covered at the grade level with a stone, iron or cement concrete cover having an opening of not less than eighteen inches diameter and fitted with an iron lid. No stone cover shall be less than two and one-half inches in thickness. The walls of the catch basins, if of brick, shall be not less than eight inches thick and laid in Portland cement mortar, plastered outside and inside below the outlet with a half inch coat of Portland cement mortar. The bottom shall be at least eight inches thick, composed of either brick laid in cement mortar or of Portland cement concrete. The brick used shall be hard burned sewer brick. The bottom of catch basins shall be at least two feet below the invert of the outlet to the sewer. The outlet shall be trapped to a depth of eight inches below the invert of the outlet to the sewer to prevent the escape of grease. The trap shall be a six-inch heavy cast iron tee pro-

vided with an approved clean-cut plug not less than four inches in diameter, or a similar contrivance. The invert of the inlet to the catch basin for kitchen wastes shall be not less than two feet four inches above the finished bottom of the catch basin.

Section 267. CATCH BASINS FOR FLOOR DRAINS FROM BARNS, ETC. Catch basins for floor drains from barns or stables shall be as specified in the next preceding section and shall have a four-inch vent. A leader pipe may serve as such vent. When catch basin for gravel roof must be located inside of the building, it must be of cast iron not less than eighteen inches in diameter and twenty-four inches deep, with cast wrought iron or brass connections, and bolted cover. When located outside, catch basin for gravel roof may be of tile not less than twenty inches in diameter and shall be set so that the outlet pipe is not less than four feet below the surrounding grade.

Section 268. CATCH BASINS FOR DRAIN TILE. A catch basin for drain tile shall be as for gravel roof, except that such drain tile shall be protected from back flow of sewage by an approved back water valve.

Section 269. CATCH BASIN IN PRIVATE GARAGE. Catch basins in private garages shall be provided with a vent pipe not less than four inches in diameter. A rain water leader pipe may be used for such vent.

Section 270. TRIPLE INTERCEPTING OIL OR GREASE BASINS. Triple intercepting oil or grease basins, when located inside of any building, shall be of metal with a minimum depth of twenty-four inches. Each unit shall be trapped so as to allow a water seal of not less than eighteen inches. A vent pipe not less than four inches in diameter shall connect with the first, or receiving, basin, and shall extend through the roof as provided for vent pipes elsewhere in this code. The other two units of such basins shall be ventilated through a two inch pipe connected with said four inch pipe not less than three feet above floor. Not less than four inches of air space shall be left between the water line in such basins and the bottom of the vent. The inlet shall have not less than four inches of water seal. Such basins shall be provided with air-tight bolted covers. When located outside of buildings, or inside, in connection with tile sewers, such basins shall conform to the aforesaid specifications; except that such basins

may be constructed of concrete or brick, and except that vents for same shall extend inside of the wall of such building and be carried up and through the roof, as provided for other vent terminals.

Section 271. SAND BASINS. Sand basins for garage drains may be of vitrified tile pipe one foot in diameter. Said basins shall be provided with an extra heavy iron top and barred strainer.

FIXTURES.

Section 272. WATER CLOSETS. All water closets shall be made of porcelain or vitreous chainaware. The bowl and trap must be made of the combined pattern in one piece. The bowl and trap shall hold a sufficient quantity of water and be of such shape and form that no soil matter will collect on the surface of the bowl. All water closets shall be equipped with adequate flushing rims so as to flush and scour the bowl properly when discharged. A flush tank or flush valve may be used; and such flush tank or flush valve shall have a flushing capacity of not less than four gallons and not more than seven gallons.

Section 273. IN PUBLIC TOILET ROOMS FOR MEN WHERE NO URINALS ARE PROVIDED. Water closets in public toilet rooms for men, where no urinals are provided, shall have the seats so constructed that they will automatically raise from bowl to wall when not in use.

Section 274. PROHIBITED CLOSETS. Pan, plunger, offset, wash-out hopper, range closets and latrines shall not be allowed in any buildings.

Section 275. URINALS — BOWL — WASTE—TRAP—FLUSH. All urinals must be constructed of material impervious to moisture and that will not corrode under the action of urine. The floor and walls of urinal compartments must be lined with non-absorbent and non-corrosive material. The bowl, when of the flat wall variety, shall have no exposed metal connections, and all bowls shall be provided with a full flush rim. Every urinal stall shall have an individual lipped sanitary urinal bowl, separately and independently trapped, and shall have a waste pipe of at least two inches in diameter. Each and every such urinal or number of urinals shall be automatically flushed with at least one gallon water flush for each such urinal at intervals not to exceed ten minutes during

the time such toilet rooms are open for use. Flushing shall be accomplished by means of approved automatically operated flush tanks. Urinals in private toilet rooms shall meet the requirements of this section, except that such urinals may be flushed by a pull and chain or an approved flush valve. Flush valves, when connected direct with Village pressure, shall be provided with an approved ground seat check valve. No wire or metal screen shall be placed in any urinal bowl, unless every part of such screen is thoroughly washed at each water flush.

Section 276. SLOP SINKS. Slop sinks shall be of enamel iron or porcelain and must be provided with an enameled iron back or a back of some material equally impervious to moisture, or set not less than six inches from the wall. Such sink must be located in a well ventilated and well lighted room, and must be provided with sufficient water supply. Wastes shall be protected with a strainer.

Section 277. KITCHEN SINKS IN RESIDENCES. Kitchen sinks in residences shall be of enamel iron or porcelain ware, or other like material impervious to moisture, and shall have a back (and if located in a corner or recess, back and sides) of enameled iron, or of some other material as impervious to moisture. No woodwork shall be permitted to be used in connection with any such kitchen sink for either top or drain boards. Wherever practical the supply and waste pipe shall be located inside of the wall, back of such sinks, and shall be branched out through such wall not less than one foot above the floor line. The top of the rim of such sink shall be two feet eleven inches above the finished floor, unless otherwise specified by the owner or architect. Water supply shall be not less than one-half inch and waste shall not be less than one and one-half inches in diameter.

Section 278. SINKS FOR STORES. Sinks for stores shall be installed as specified for kitchen sinks in residences. The waste from such sinks shall discharge into an intercepting basin before entering the sewer.

Section 279. SINKS FOR SODA FOUNTAINS. Sinks for soda fountains may be wasted into a properly connected deep slop sink located on a lower floor as provided for ice box wastes.

Section 280. SINKS FOR ICE BOXES. Ice box sinks shall be set not more than three feet six inches above the floor and

shall otherwise be connected as provided for kitchen sinks; except that such sink shall not be located in any room that is not well lighted and ventilated. It shall not be necessary to waste such sink into a catch basin.

Section 281. SINKS FOR PANTRY. Pantry sinks shall be constructed of metal, enamel or porcelain. The requirements covering the installation of kitchen sinks in residences shall apply to pantry sinks, except that three-eigths inch supplies may be used.

Section 282. LAUNDRY TRAYS—RESIDENCES. All laundry trays for residences shall be made of some material impervious to moisture. The use of wooden laundry trays is strictly prohibited in buildings of this class. It will be permissible to connect two or three compartment laundry tray to one trap but such trap must be placed under one of the compartments.

Section 283. LAVATORIES. Lavatories shall be constructed of enameled iron, porcelain ware or some other material impervious to moisture, and such fixtures shall be free from crevices where dirt may collect. The waste and supply pipes shall be installed as specified for the installation of waste and supply pipes for kitchen sinks in residences, except that the trap may be one and one-quarter inches up to waste fitting on continuous waste and the water supply may be three-eighth inch pipe.

Section 284. BATH TUBS. Bath tubs shall be constructed of enameled iron or porcelain ware, and shall be provided with waste pipe not less than one and one-half inches in diameter. Every bath tub shall be provided with a drum trap four inches in diameter and not less than eight inches deep. Such trap shall not be located further than two feet from the waste outlet of the tub and shall have its cover set level and flush with the floor where it may easily be reached for cleaning of the trap or waste. The inlet and outlet pipe of trap shall be brought out of the seal immediately by the use of a forty-five degree elbow screwed into the trap; except that when such trap is located not more than two feet from waste opening in tub, ninety degree elbow may be used directly under such waste opening.

Section 285. SHOWER BATHS. Shower baths, when located in a basement, may waste through an opening in the

floor placed directly under spray, the surrounding floor to be pitched to such opening. The trap shall be a deep seal back water trap with a waste opening of not less than two inches in diameter, properly protected with perforated or barred strainer, and shall be vented through a pipe not less than one and one-half inches in diameter. Vent branch to be within three feet of such trap. When shower baths are installed on the floor or floors above the basement, such showers shall be provided with receptors made of enameled iron, porcelain, marble or any other material impervious to moisture. Such receptor shall be at least six inches deep. The trap shall be of the variety known as "drum trap." The trap shall be placed not farther than two feet away from the waste opening in such receptor and where it may be easily reached for cleaning. The walls enclosing shower or showers shall be of marble, slate, tile or some other material impervious to moisture; and shall be carefully set to serve its purpose. When hot water is provided in connection with any such fixture a proper mixing chamber shall be installed.

Section 286. DRINKING FOUNTAINS. Stationary drinking fountains shall be of the bubbling fountain type. When placed in any building, the waste from such fountains shall not discharge directly into any house drain or sewer, but shall discharge into an open, properly connected, water supplied, deep sink. Except that when the cup for such fountain is detached from the waste receptacle, such receptacle may be connected with any soil or waste stack, as provided for lavatory waste.

TOILET ROOMS.

Section 287. SIZE OF TOILET ROOMS. Each toilet room shall have at least twelve square feet of floor area, and at least one hundred and eight cubic feet of air space for each water closet and each urinal.

Section 288. LOCATION OF TOILET ROOMS. In new buildings hereafter erected, the toilet rooms shall be located above the basement floor, and open to outside air and light direct. An additional water closet may be located in the basement in buildings of Class II. When it is impracticable to so locate the toilet rooms in buildings to be used for commercial purposes, such toilet rooms may be installed in the basement when supplied with light and ventilation as provided for in Section 289.

Section 289. LIGHT AND VENTILATION. Every toilet or bathroom shall be lighted by a window or windows opening directly upon a street, alley, court or vent shaft. The minimum amount of window space for a toilet room containing one fixture shall be not less than four square feet, and for each additional fixture, an additional two square feet of window space must be provided. Windows must be so constructed that they can be opened to give adequate ventilation to the room. This shall also apply to skylights where such skylights are installed for lighting and ventilating toilet rooms. All toilet rooms (except in private residences) shall be artificially lighted during the entire period that the building is occupied (whenever and wherever adequate natural ligtht is not available) so that all parts of the room are easily visible. When necessary the glass in toilet room windows shall be frosted or so prepared or finished as to provide privacy for such rooms. Toilet rooms, when provided with mechanical ventilation, must have apparatus adequate to give at least four complete changes of air per hour for all such rooms.

SOIL AND WASTE PIPES.

Section 290. MATERIAL. All main and branch soil, or waste pipes, shall be of cast iron coated with tar or asphaltum, galvanized iron, or lead, brass or copper.

Section 291. MINIMUM SIZE OF STACK IN BUILDING. Where one soil or waste pipe serves as the only stack in the building, it shall be at least four inches in diameter and extend full size to the roof, and shall there be increased.

Section 292. SOIL PIPES—SIZE OF WHEN SOIL PIPE TERMINATES AT CLOSET. The least diameter of soil pipes permitted shall be four inches and shall extend full size to roof, except that one water closet and one other fixture with a waste opening not to exceed one and one-half inches may be installed on a four-inch soil pipe rising from the house drain to the first floor (when the distance between the house drain and trap shall not exceed eight feet and may be vented with a two-inch pipe; *provided*, that the premises where such closet and other fixtures are to be installed has at least a four-inch stack of undiminished size extending through its roof.

Section 293. IN GARAGES, BARNS, ETC. In garages, barns, etc., one closet and one other fixture as specified in Sec-

tion 292 may be installed on the first or ground floor and may be vented with a two-inch pipe.

Section 294. INCREASERS AND ROOF EXTENSIONS. All soil, waste or vent pipes, where such pipes pass through the roof, must have an increaser at least two inches greater in diameter than the pipe proper. In no case shall the increaser be less than four inches in diameter. The increaser shall be placed at least twenty inches inside of the building, and shall extend not less than two inches above the ridgeboard on the highest part of a pitched roof, or not less than six inches above the fire wall or coping when such roof is flat, and when terminal is within twenty-four inches of such wall. When terminal is more than twenty-four inches from fire wall the increaser shall extend one foot six inches through and above the roof.

Section 295. FLASHING. All pipe terminals shall be flashed with sheet copper or lead. On pitched roofs the upper part of the roof metal shall be turned at least one inch over the ridge, and not less than six inches over all other directions of the roof. On flat roofs the roof metal shall be at least six inches greater than the diameter of the standing part of such flashing. The flashing must be so set that it will effectively exclude rain and weather.

Section 296. TERMINALS ABOVE MAIN BUILDINGS—NUISANCE—COVERING. Soil, waste and vent pipes shall be carried above the roof of the main building where otherwise they would open within fifteen feet of such building, or within fifteen feet horizontally or five feet vertically of any windows, doors or ventilator openings on the same or adjoining buildings, and soil, or vent pipe terminals shall be not less than eight feet from any ventilator or air shaft or open waste vent stack on the same or adjoining building, nor shall they be located so as to be a nuisance to the occupants of any building. When it is necessary to extend the roof terminals of any soil, waste, or vent pipes more than one foot six inches above the roof they shall have an adequate frost and weather-proof covering and shall be covered with one layer of hair felt, and one layer of air-cell paper water proofed, and then protected with a copper or galvanized iron pipe.

Section 297. ROOF TERMINALS—EXTRA LONG EXTENSION. When it shall be necessary to extend a soil, waste or

vent pipe terminal higher than five feet above the roof, such additional extension may be made with number twenty-two gauge copper or twenty-six gauge galvanized iron securely supported.

Section 298. ROOF TERMINALS ACCESSIBLE. Roof terminals shall be so located that they shall be accessible for inspection and tests. Where such terminals are forty-five feet or more from the ground, and where no scuttle-hole or window is convenient for reaching such terminal, an opening not less than four inches shall be provided in the increaser inside of roof; such opening to be provided with a gas or air-tight cover. Each increaser must be tapped and provided with properly threaded plug not less than one-half inch diameter for testing purposes.

Section 299. COMMON INCREASER. Where two or more soil, waste or vent stacks terminate within a radius of ten feet of a properly increased four-inch stack or larger, such soil, waste or vent stack may be connected into the side of such increaser, provided, however, that this will not be permitted in any building where such stacks extend through more than four floors and basement. A test opening and plug of same size as pipe shall be inserted at the highest point of vertical stacks connected into such common increaser.

Section 300. OFFSETS ON SOIL AND WASTE VENT STACKS. Necessary offsets above the highest fixture branch must not be made at an angle less than twenty-five degrees to the horizontal.

Section 301. HORIZONTAL WASTE PIPES PROHIBITED —AMOUNT OF PITCH. Horizontal soil or waste pipes are prohibited. In all possible cases the pitch shall be not less than one-fourth of an inch to the foot, making the draw in the direction of the outflow.

Section 302. SIZE OF SOIL AND WASTE PIPES. A vertical waste pipe into which a kitchen sink or sinks discharge shall be two inches in diameter and at least three inches in diameter if receiving the waste of five or more floors. Branches shall be not less than one and one-half inches in diameter. A vertical soil pipe into which a water closet or closets discharge shall be four inches in diameter and not less than five inches in diameter if receiving the discharge from closets on five or more floors, and shall have not less than four-inch

branches for such closet or closets. In old buildings a three inch stack may be used when it is found impracticable to use the four-inch as specified above.

Section 303. HORIZONTAL SOIL AND WASTE PIPES TO BE EXTENDED. All horizontal branches of soil or waste pipes twenty feet or more in length shall be extended full size, and carried to the roof increaser. Branches of waste pipes less than twenty feet in length shall be either carried full size through and above the roof or returned full size to the main vent pipe.

Section 304. FITTINGS—QUALITY. All fittings used for soil or waste pipe, except as hereinafter specified, shall be either extra heavy tar or asphaltum-coated fittings or extra heavy galvanized cast or malleable iron, recessed and threaded drainage fittings.

Section 305. SOIL AND WASTE PIPE—HOUSE DRAIN—ARRANGEMENT OF. The arrangement of soil and waste pipes, offsets and branches must be as direct as possible. All necessary offsets at an angle not less than forty-five degrees to the horizontal. All branches and changes in direction shall be made with "Y" branches, sanitary "T's" one-fifth, one-sixth, one-eighth, one-sixteenth, or one-quarter long sweep bends. Sanitary "T's" and short ells will be permitted on and into vertical lines only. All soil, waste and house drain pipes inside of every building and in the case of house drains extending two feet outside of walls, piers or area walls must be of extra heavy cast iron pipe, except that where that part of the system known as the roof increaser used where stacks terminate through roof may be of that weight known as "standard." House drains used in connection with stables, garages, etc., where the floor level is not below the surrounding grade level and where there is more than two feet of covering over same, may be of vitrified tile pipe.

Section 306. VERTICAL LINES OF PIPES—FLOOR RESTS. Vertical lines of soil, waste or other pipes, and rain water pipes within buildings shall be provided with floor rests at intervals of not less than every second floor.

Section 307. PIPE SUPPORTS—PIPE HOOKS PROHIBITED. The foot of every vertical soil, rain or waste pipe shall be adequately supported by brick, stone or concrete piers prop-

erly constructed of cement mortar or cement concrete, or by some other method equally good. Pipes under the basement floor or in the ground shall be properly laid, graded and supported. Pipes above the floor shall be adequately supported or suspended by means of proper iron hangers, brick or concrete piers. The use of pipe hooks for supporting pipes is prohibited.

Section 308. DURHAM SYSTEM. Durham system of installation may be used above the ground line only. It must be constructed of galvanized iron pipe and drainage fittings. All such pipe shall be free from any defects or obstructions and the burrs formed in cutting shall be removed.

Section 309. PROHIBITED FITTINGS AND PIPE. Short one-quarter bends, double hubs, common offsets, bands and saddles, combination ferrules, wrought and cast iron solder nipples, hand hole clean-outs with thumb screws, long screw connections, tapped wastes and vents are all strictly prohibited. And no galvanized iron pipe shall be used in the ground for any such purpose.

Section 310. PIPES TO BE SOUND. All pipes shall be sound, cylindrical, smooth, free from cracks, sand holes and other defects and of uniform thickness.

Section 311. PIPES AND FITTINGS, COATING. All cast iron pipe and fittings for vent or waste shall be tar or asphaltum coated.

Section 312. BRANCHES AND CONNECTIONS. All waste branches in horizontal pipes shall be made with "Y" fittings, except that when a one and one-half or a two-inch pipe is to be connected with a "washed" pipe four inches or larger in diameter, a "T" fitting may be used.

Section 313. LEAD BENDS OR WASTE PIPE. Lead bends shall only be permitted to be used for replacing old lead bends when impossible to use iron. Lead waste or vent pipe in partitions or under floors will be permitted in connection with such repair work only.

Section 314. TEST OPENING IN HOUSE DRAIN—CLEAN OUT. Where the house drain enters a building a test opening and clean-out shall be provided of the same size as the pipe and such opening shall also be provided with an approved clean-out plug, except that when stack is less than five

feet from wall the clean-out plug at base of stack may serve such purpose.

TRAPS AND CLEAN-OUTS.

Section 315. TRAPS. Each fixture, except as otherwise provided in this code, shall be separately trapped by a water seal placed where readily accessible and as close to the fixture as possible. Every trap shall be self-cleansing. No form of trap shall be used which depends upon the action of movable parts for its seal. No trap shall be used which depends upon concealed interior partitions for its seal, unless such interior partitions are made of indestructible material. No trap shall be used which in case of defect would allow the passage of sewer air. Grease traps with integral cast partitions of indestructible material and water cooled may be used. Traps for bath tubs, basins, sinks or other similar fixtures shall be made of lead, brass or iron.

Section 316. TRAPS PROHIBITED—WHERE. There shall be no trap at the foot of soil or waste pipes, nor shall there be any trap upon the house drain or house sewer. This section shall not prohibit the use of traps at the foot of rain water leaders or upon drains or sewers used exclusively for conducting rain water to a public sewer.

Section 317. TRAPS PROHIBITED—KIND. Concealed partition traps, bell traps (except on refrigerators and in connection with other traps), short drain traps, and "S" pipe traps, or traps having covers, hand-holes or clean-outs, which are held in place by lugs or bolts, are strictly prohibited.

Section 318. ANTI-SIPHON TRAPS. Anti-siphon traps may be used only in connection with old work when it is impracticable to ventilate. All anti-siphon traps shall be of centrifugal, self-cleansing type.

Section 319. DISTANCE OF TRAPS FROM WASTE AND VENT FITTING. Where the vent or revent pipes are continuous and traps are ventilated through waste fittings, the center of the trap waste opening in such fitting shall not be set below the water seal of the trap. No trap shall be set more than three feet from its vent opening. Every trap shall be set true with respect to its water level.

Section 320. WHEN SEPARATE TRAPS ARE NOT REQUIRED. Two and three part laundry trays may be wasted through one trap.

Section 321. CLEAN-OUT OPENING FOR TRAPS. All traps, when practicable, shall be provided with a clean-out screw plug or cover, set in the water seal of such trap or traps. Clean-out openings shall always be conveniently placed to serve the purpose for which they are intended. At the foot of all stacks and at all points in the system where ninety degree offsets or changes in direction occur (except where such offset or distance covered is not more than five feet), and every thirty feet in house drain, a clean-out shall be provided. Clean-out plugs shall be of the same size as the pipe into which they are placed, except that when such pipe is larger than four inches a four-inch opening shall be sufficient. This shall not apply to the clean-out and test opening in house drains where same enter the building. Such opening and plug shall be of the same size as the drain into which said clean-out opening is inserted.

Section 322. CLEAN-OUT ON BACK WATER VALVES AND TRAPS. All back water valves and traps shall be provided with clean-out plugs not less than four inches in diameter, placed where the interior of such valves or traps may be conveniently reached for cleaning or adjustment. When the top of such back water valve or trap is not more than fifteen inches below the basement floor, the clean-out may be extended with four-inch cast iron pipe to three inches above such floor. When the top of such valve or trap is more than fifteen inches and not more than two feet below the basement floor a twelve-inch iron pipe shall be provided and placed over and around such clean-out plug and extended at least three inches above the floor and such pipe shall be provided with a proper iron cover. Where such back water traps or valves are more than two feet under basement floor or are placed outside the walls of buildings, a brick or concrete manhole basin, not less than two feet six inches in diameter and tapered to twenty-two inches at the top, equipped with an iron manhole cover shall be provided. The cover shall be set flush with the surrounding ground when located outside of the building, and not less than three inches above the surrounding floor when located inside of the building. The center shall not be less than eighteen inches in diameter.

VENTS AND VENTILATION.

Section 323. VENTILATING PLUMBING SYSTEMS—PROTECTING TRAPS. All soil and waste stacks and

branches from same shall be ventilated and all traps, except anti-siphon, where such traps are permitted, must be protected from siphonage and back pressure by a proper revent pipe.

Section 324. REVENTS—WHERE USED—EXCEPTIONS —MATERIAL. All fixtures connected to a line of soil or waste pipe shall be trapped and revented except the top fixture, and in all cases where openings are left for future use provision must be made for back vents for all such openings. Back vents shall be cast iron, galvanized iron, brass or copper, and all such back vents shall be arranged to avoid stoppage from the collection of water from condensation, scale, etc.

Section 325. MATERIAL—PIPE AND FITTINGS—HORIZONTAL VENTS—WORKMANSHIP—TRAPPED VENTS. All malleable vent fittings shall be galvanized. Horizontal vent pipes, unless unavoidable, shall not be used. Lines of soil, waste, or vent pipes shall be run in a thoroughly workmanlike manner. Trapping or sagging, or drops in horizontal vents or revents are prohibited. No vent pipe from the house side of any trap shall connect to any sewer, vent pipe, soil or waste pipe.

Section 326. BRANCH VENT PIPES—HOW CONNECTED. Branch vent pipes must be connected not less than six inches above the top of all connected fixtures to prevent the use of vent pipes as soil or waste pipes. There shall be no horizontal pipe below the top of such fixture, except such pipe as is necessary under floors. The length of such horizontal pipe shall never exceed two feet.

Section 327. VENTS FOR EARTHENWARE TRAPS. Earthenware traps for water closets and slop sinks must be ventilated from the branch soil or waste pipe just below the trap by means of a "Y" fitting. This branch vent pipe must be so connected as to prevent obstructions. No waste pipe shall be connected between the trap and the fixture.

Section 328. REVENTS FOR BACK TO BACK FIXTURES. Where fixtures are located on opposite sides of a wall and directly opposite each other on the same floor in any building and have a common soil or waste pipe in the same separating wall, the revents from such fixtures may connect into the same pipe. Where two plumbing fixtures, other than water closets, waste into a double "Y" or double "TY" fitting, a single vent connected at the junction of two waste lines forming a part of

the fitting will be permitted, but such revent shall never be less than one and one-half inches in diameter.

Section 329. VENT INTO CHIMNEY PROHIBITED. No brick, sheet metal, earthenware or chimney flue shall be used for a sewer ventilator or to ventilate any trap, soil, waste or other sewer-connected pipe or opening.

Section 330. OFFSETS—VERTICAL LINES TO CONNECT BACK TO STACK. All offsets on vent lines must be made at an angle of not less than twenty-five degrees to the horizontal. All vertical lines ten feet or more in length and when extended independently through the roof must be connected at the bottom with a soil or waste pipe or the drain, in such a manner as to prevent the accumulation of rust, scale or condensation.

Section 331. REVENT PIPE FOR WATER CLOSETS AND OTHER FIXTURES—SIZE. Where the revent pipes from water closets and other plumbing fixtures are connected into the same vent pipe, the size of the vent pipe shall be at least two inches in diameter from the main vent pipe to the point of connection with the vent of a fixture not requiring a two-inch revent.

Section 332. REVENT OMITTED—WHEN. Where a single water closet or other plumbing fixture is connected with a soil or a waste stack, and such stack is continued undiminished in size to the roof, the revent pipe may be dispensed with; *provided,* that the trap of such fixture is located not more than three feet from such soil or waste pipe.

Section 333. LOOP OR CIRCUIT VENT. When practicable for groups of three or more water closets or other fixtures, loop or circuit ventilation may be substituted for individual back vents.

JOINTS AND CONNECTIONS.

Section 334. CAST IRON CALKED JOINTS. Cast iron calked joints shall be made from picked oakum and molten soft pig lead at least one inch deep, calked and smoothly faced when cold. Such joints shall be kept clean and free from any obstruction until after they have been tested and approved.

Section 335. IRON AND BRASS JOINTS. When iron or brass pipes are used, separately or in connection with each other, all joints in such pipes shall be screw joints and all burrs or cuttings on the inside of such pipes shall be removed

before the joints are made up. All screw joints shall be made up with white lead or red lead, or mineral paint applied to the male part of the threads.

Section 336. JOINTS BETWEEN IRON PIPE AND TILE SEWERS. All underground joints connecting iron pipe with tile sewers or drains shall be made with cement, as required for tile pipe. In no case shall the iron pipe be more than two sizes smaller than the tile sewer inlet unless an increaser or reducer is used.

Section 337. JOINTS ON VITRIFIED TILE PIPE. Joints on vitrified tile pipe shall be made with mortar composed of two parts of clean sharp sand and one part of Portland cement (except in wet trench hydraulic cement may be used) thoroughly mixed and with enough water added to give the proper consistency. The joints must be carefully pointed on the outside, and the pipe left clear and smooth on the inside by drawing through it a swab or scoop.

Section 338. LEAD CONNECTIONS—SOLDER JOINTS. All connections in a drainage or plumbing system between lead pipes and between lead and brass or copper pipes shall be made by means of "wiped" soldered joints; the use of "cup-joint" connections, clean-out screws or joints in trap seals, trap screws and floor flanges for connections are prohibited. All wiped joints shall extend at least three-quarters inch on each side of the joint.

Section 339. LEAD AND IRON CONNECTIONS. Connections between lead and iron pipe shall be made with a brass ferrule with a calked joint, or a soldering nipple with a threaded joint.

Section 340. UNIONS AND SLIP-JOINTS. All unions used on the sewer side of traps shall be ground-faced and shall depend on no washer. The use of slip joints and lock-nut couplings on the outlet or sewer side of any trap is prohibited inside of any building. All connections shall be made as close to the trap as possible.

Section 341. CLAMP JOINTS. Iron or brass covers provided with bolt and nut connections shall be set with lead gaskets or asbestos roll packing. All such joints shall be kept in open sight, and not concealed or covered up.

Section 342. WROUGHT IRON PIPE CONNECTIONS. Connections between lead cast and wrought iron pipe shall be

made with a calked joint, a soldering nipple, a threaded joint, or a concaved or reamed brass bushing. Wrought iron pipe connections shall be made with a right or left coupling, flange union with durable gasket, or a ground-faced union; all unions used on sewer side of trap shall be ground-faced. No slip joint or long screw connection will be permitted on the sewer side of the trap.

Section 343. ROOF JOINTS. Roof joints shall be made watertight by the use of proper sheet copper or lead flashing.

Section 344. CONNECTIONS TO LEAD BEND PROHIBITED. No waste pipes conveying hot water shall be branched into lead bends receiving the discharge of water closets or other similar fixtures in old installations.

Section 345. INCREASERS AND REDUCERS. Where different sizes of pipe, or pipe fittings, are to be connected, proper size increasers or reducers shall be used.

Section 346. PROHIBITED JOINTS AND CONNECTIONS. In addition to bushed joints, all joints made with interior calking or bushings or fittings, or any connection which has, or forms an enlargement chamber or recess with a ledge shoulder or reduction of the pipe area in the direction of the flow on the outlet or drain side of any trap, are prohibited.

Section 347. EXPANSION BOLTS. Connections on wall hangers, pipe supports or fixture settings with the masonry or stone backing shall be made with expansion bolts and without the use of wooden plugs.

ICE BOXES, SAFES AND OTHER DISCONNECTED AND SPECIAL WASTES.

Section 348. MATERIAL. Refrigerator, safe and special waste pipe lines, unless otherwise provided for in this code, shall be of galvanized iron and not less than one and one-quarter inches in diameter, with branches of same diameter. Short branches and traps may be made of lead. They shall be constructed and fitted in the same manner as prescribed for waste pipes except that the traps need not be back vented but all off-sets and changes of direction shall have clean-outs so placed as to control all of the piping.

Section 349. SAFE WASTE PIPES. Waste pipe from safe or drip pans shall be as short as possible and discharge into a

trapped fixture. Waste pipe shall be provided with removable strainers. The end of the tell-tale wastes leading from safes to detect leaky or sweaty pipes, fittings or fixtures may drip at any convenient, observable point, but not necessarily over a trapped fixture.

Section 350. REFRIGERATOR WASTES. The waste pipe from a refrigerator, ice box or tray, or any receptacle in which provisions are stored shall be arranged so that such refrigerator, ice box, tray or receptacle drain may be properly flushed. The said wastes may discharge only into an open portable pan or lead safe, discharging into a water supplied sink set not more than three feet six inches from the finished floor. Such sink shall be located in the cellar or basement where possible. A single ice box in a residence may discharge into a portable pan or into a one and one-half inch by not less than four-inch increaser with a proper strainer placed over and back of a laundry tray. Such increaser shall be screwed on to one and one-half inch pipe which shall be connected into the seal of a drum trap under such laundry tray.

Section 351. SIZES OF MAIN SAFE WASTES. The minimum sizes of the main safe waste line for refrigerators in dwellings, shall be of not less than one and one-half inches galvanized iron pipe with branches of not less than one and one-quarter inches, and when such pipe shall have the waste from the refrigerator on three or more floors it shall be run through the roof as required for any other waste or soil pipe; except that such refrigerator stack need not be increased. In no case shall a refrigerator stack open within three feet of an open soil or vent pipe.

Section 352. OVERFLOW PIPES. The overflow pipe from a water supply tank or an expansion tank shall discharge into a sink as required for refrigerators.

Section 353. URINAL SAFES. Urinal platforms and safes shall not be directly connected with any drain, soil or waste pipe, except when used in combination with a urinal floor gutter. The outlet of such gutter shall be provided with a brass strainer, a deep seal or drum trap and waste of not less than two inches, with arrangements for flushing the gutter while in use. If such safe also serves as a floor waste outlet the trap shall be at least three inches in diameter and properly ventilated.

SIZES OF PIPES, WEIGHTS, MEASUREMENTS AND QUALITY.

Section 354. CAST IRON PIPE. All cast iron pipe and fittings shall be sound, cylindrical and smooth, free from cracks, sand holes and other defects, of uniform thickness and no lighter than the grade known to the trade as "Extra Heavy."

Section 355. WEIGHTS OF CAST IRON PIPE. No cast iron pipe used in any drainage or plumbing system shall weigh less per lineal foot, including hubs, than the following schedule:

Diameter 2 inches.....	5½ pounds per lineal foot
Diameter 3 inches.....	9½ pounds per lineal foot
Diameter 4 inches.....	13 pounds per lineal foot
Diameter 5 inches.....	17 pounds per lineal foot
Diameter 6 inches.....	20 pounds per lineal foot
Diameter 7 inches.....	27 pounds per lineal foot
Diameter 8 inches.....	33½ pounds per lineal foot
Diameter 10 inches.....	45 pounds per lineal foot
Diameter 12 inches.....	54 pounds per lineal foot

Section 356. FITTINGS—TO CORRESPOND WITH PIPE. All fittings used in connection with cast iron pipe shall correspond with it in weight, quality and coating.

Section 357. LEAD WASTE, SOIL, VENT AND FLUSH PIPES—QUALITY AND WEIGHT OF. All lead waste, soil and vent pipes and flush pipes must be of the best quality, known in commerce as "Extra Light" and of not less than the following weights per lineal foot:

Diameters	Weights per lineal foot
1¼ inches.....	2½ pounds
1½ inches.....	3½ pounds
2 inches.....	4 pounds
3 inches.....	6 pounds
4 inches.....	8 pounds

Section 358. LEAD PIPE—BRANCHES. The use of lead pipe is restricted to the short branches of the soil and waste

pipes, bends and traps, and roof connections of inside leaders. "Short branches" of lead pipe shall be construed to mean not more than:

5 feet of 1½ inch pipe.
4 feet of 2 inch pipe.
2 feet of 3 inch pipe.
2 feet of 4 inch pipe.

Section 359. BRASS PIPE AND FITTINGS. Brass pipe for soil, waste, and vent pipes shall be thoroughly annealed, seamless, drawn or brazed tubing; and shall have outside diameter, thickness of metal and weight per foot of not less than the following:

Nominal Diameter	Brown & Sharp Gauge No.	Thickness	Weight per foot.
1¼ inches	12	5/64-inch	1.08 lbs.
1½ inches	12	5/64-inch	1.32 lbs.
2 inches	10	5/64-inch	1.79 lbs.
2½ inches	10	7/64-inch	2.82 lbs.
3 inches	10	7/64-inch	3.41 lbs.
4 inches	8	⅛-inch	5.74 lbs.
5 inches	8	⅛-inch	7.22 lbs.
6 inches	8	⅛-inch	8.71 lbs.

For flush and local vents No. 18 gauge may be used. Drawn tubing only shall be used for the larger sizes (two and one-half inches to six inches), and brazed tubing may be used for the smaller sizes (one and one-quarter to two inches). Brass fittings shall be good quality cast brass, having a thickness in their walls not less than the tabular thickness given above for the corresponding brass type. The thickness of the tapped ends shall be one and one-half times the thickness of the corresponding pipe.

Section 360. GALVANIZED WROUGHT IRON PIPES—SIZES AND WEIGHTS. The following thickness of metal

and weights per lineal foot are required for standard galvanized wrought iron pipe:

Diameters.	Thickness.	Weight per lineal foot.
1½ inches	0.14 inches	2.68 lbs.
2 inches	0.15 inches	3.61 lbs.
2½ inches	0.20 inches	5.74 lbs.
3 inches	0.21 inches	7.54 lbs.
3½ inches	0.22 inches	9.00 lbs.
4 inches	0.23 inches	10.66 lbs.
4½ inches	0.24 inches	12.34 lbs.
5 inches	0.25 inches	14.50 lbs.
6 inches	0.28 inches	18.76 lbs.
7 inches	0.30 inches	23.27 lbs.
8 inches	0.32 inches	28.18 lbs.
9 inches	0.34 inches	33.70 lbs.
10 inches	0.36 inches	40.06 lbs.
11 inches	0.37 inches	45.02 lbs.
12 inches	0.37 inches	48.98 lbs.

Section 361. FERRULES—CERTAIN ONES PROHIBITED—SOLDERING NIPPLES—MATERIAL AND SIZE—WEIGHT. One and one-half inch ferrules are not permitted. Soldering nipples must be heavy cast brass or of brass pipe, iron pipe size for water supply connections. When cast they must weigh not less than as follows:

Diameters.	Weight.
1½ inches	0 lbs. 8 ounces
2 inches	0 lbs. 14 ounces
2½ inches	1 lb. 6 ounces
3 inches	2 lbs. 0 ounces
4 inches	3 lbs. 8 ounces

Section 362. TRAPS AND WASTE BRANCHES. Traps and waste branches shall conform to the following schedule:

Kind of fixtures—	Size in inches Trap	Branch
Water closet	3	4
Slop sink with trap combined	2	3
Slop sink, ordinary	1½	1½
Pedestal urinal	2	3
Floor drains	4	4
Yard drain	4	4
Urinal	1½ and 2	2
Laundry trays (2 or 3)	1½	2
Kitchen sinks (small for dwellings)	1½	1½
Pantry sinks	1½	1½
Kitchen sinks (large for hotels, restaurants)	2	2
Wash basins (one only)	1¼	1½
Bath tubs, 4x8-inch drum trap	4	1½
Shower baths, 4x8-inch drum trap	4	1½
Shower baths (floor) 4x8-inch drum trap	4	2
Sitz baths, 4x8-inch drum trap	4	1½
Drinking fountains	1¼	1½

Section 363. TABLE OF SIZES OF WATER SUPPLY TO VARIOUS FIXTURES. The sizes of water supply to various fixtures shall comply with the following schedule:

Size	Fixtures
½ inch	3
¾ inch	12
1 inch	20
1¼ inches	38
1½ inches	56
2 inches	82

Kind of fixtures—	Apparatus	Least Diameter in inches Pipe.	Valve Cock.
Water closet	Tank	½	⅜
Water closet	Flush valve.	Full opening in valve.	
Urinals	Flush valve.	Full opening in valve.	
Urinals	Tank	½	⅜
Slop sinks—ordinary	Faucets	½	½
Slop sink, 3-inch trap	Faucets	¾	¾
Slop sink—hospital	Tank	½	⅜
Slop sink—hospital	Faucets	¾	¾
Kitchen sink	Faucets	½	½
Kitchen sink—hotels, restaurants and boarding houses	Faucets	¾	½
Sink for stores, soda fountains, ice boxes	Faucets	½	½
Pantries	Faucets	½	⅜
Laundry trays—residences	Faucets	½	½
Laundry trays for public laundries, cleaning and dye houses	Faucets	¾	½
Dish washing machines	Valves	¾	¾
Bath tubs	Combination or single faucets	½	½
Shower baths	Valves	¾	½
Drinking fountains	Bubbling cup	½	¼
Lavatories	Faucets	⅜	⅜
Fountain cuspidors	Faucet	⅜	¼
Lawn sprinklers, street or carriage washers		¾	¾
Minimum supply for 30 or 40 gallon range boiler		¾	
Minimum size of distributing risers		¾	

Section 364. DEPTH OF SEAL FOR TRAPS. The depth of seal for traps shall comply with the following schedule:

Depth of seal for common traps:

Size of trap, in inches	1¼	1½	2	3	4	5	6
Depth of seal, in inches	2	2	2¼	2½	2½	2½	2½

Depth of seal for deep seal traps:

Size of trap, in inches	2¼	1½	2	3	4	5	6
Depth of seal, in inches	4	4	4	5	5	5	5

Section 365. RELATIVE SIZE OF SOIL AND VENT STACKS. The relative size of soil and vent stacks shall be as follows:

Diameter of soil or waste stacks, in inches	2	3	4	5	6	7	8	9	10	11	12
Diameter of vent stack in inches	2	2	2	2½	3	3½	4	4½	5	6	6

Section 366. SIZE OF VENT PIPE STACKS. The size of vent stacks and the maximum number of fixtures that they may serve shall comply with the following:

Size of pipe—	Number of traps 1½-inch or less	Number of traps 2-inch	Number of water closets
1½ inch pipe	3	1	3 or less
2 inch pipe	12	6	,
2½ inch pipe	18	12	6 or less
3 inch pipe	48	24	12 or less

Section 367. BRASS FERRULES—QUALITY—SIZE—WEIGHT. Brass ferrules must be best quality, bell-shaped, extra heavy cast brass, and must be not less than four inches long. The diameters and weights of brass ferrules shall be as follows:

Diameters	Weights
2¼ inches	1 lb. 0 ounces
3½ inches	1 lb. 12 ounces
4½ inches	2 lbs. 8 ounces

INSPECTION AND TESTS.

Section 368. TESTING OF PLUMBING AND HOUSE DRAINS NECESSARY. All plumbing and drainage systems

hereafter installed shall be tested with the water test before being covered or concealed. And all such systems, when completed and before certificate of approval is issued, shall be tested with a peppermint test.

Section 369. TESTS MADE SEPARATELY. Tests may be made separately as follows: The house drain, with five-foot head of water or ten pounds of air pressure from outside of wall or from test opening. The soil, waste, vent, revent and inside down-spouts shall be filled with water from clean out plug at base of stack to test opening in increaser, or opening of fixture, and to floor and wall line, or with ten pounds of air pressure.

Section 370. ALTERATIONS AND ADDITIONS. All alterations or additions shall be tested with the prescribed water test as follows: When it shall be necessary to break into an old stack in order to make a connection for an additional fixture or for additional fixtures, and when ten feet or more of developed waste and vent or soil and vent pipe shall be added, the test shall be applied to the entire stack and all fixture branches connected with same. When such alterations shall consist of the replacing of the underfloor pipe or new fixture to take the place of old, a final smoke or peppermint test may be used.

Section 371. GARAGE AND STABLE DRAINS. If a garage or stable or any part of a garage or stable be used for human habitation, the same tests and inspections of the plumbing and drainage systems thereof shall be made as in case of any ordinary dwelling. All garage or stable drains shall be inspected but need not be tested.

Section 372. NEW PLUMBING—REPAIRS—PIPES AND TRAPS TO BE EXPOSED TILL AFTER TESTS. In all buildings hereafter erected, both public and private, and in all buildings already built or erected wherein any plumbing is installed or wherein any sewer-connected pipe shall be repaired or changed (except for minor repairs) on the sewer side of the trap, the drain, soil, rain-water (when rain-water pipes are within building) waste pipes or any other pipe or pipes connected directly or indirectly to any drain, soil or waste pipe, and all traps, shall be placed within buildings and exposed to view for ready inspection and test, and shall remain

so exposed until approved. In no case shall a trap or clean-out plug be inaccessible at any time.

Section 373. FINAL TEST—ADDITIONS AND ALTERATIONS. When the plumbing or drainage system is completed and the water is turned on and the traps filled it shall be tested with smoke or peppermint.

Section 374. WATER TEST. The water shall be applied by inserting plug into test opening in house drain where same enters building or from two feet outside the wall of such building and all other openings in the piping with proper testing plugs to the test opening in increaser, or to the highest opening above the roof, and completely filling the system with water; the water column to be left standing at least fifteen minutes. If the water level remains constant during such time the system shall have been acceptably tested.

Section 375. AIR TEST. The air test shall be made with a pressure of not less than ten pounds per square inch equal to twenty inches of mercury supplied with a force pump, and such pressure maintained at least ten minutes without leakage. The use of spring gauges or wooden plugs in making tests is prohibited. The use of either the air or water test is left optional with plumber, except when there is a danger from freezing the air test only shall be employed. This provision of employing the air test only shall also apply to house drains where the use of a tile pipe is permissible except that the pressure applied may be reduced to not less than five pounds.

Section 376. SMOKE TEST. The smoke test shall be used in testing the sanitary condition of the drainage or plumbing system of all buildings, where there is reason to believe that the plumbing system has become dangerous or defective on account of settlement of the building or by abuse, accident or any other cause. The smoke machine shall be connected to any suitable opening or outlet and when the system is completely filled with dense pungent smoke, and the openings emit smoke, they shall be closed and an air pressure equivalent to one inch water column shall be applied and left standing at least ten minutes. If there is no leakage or forcing of trap seals, indicated by the fluctuations of the drum float, the system shall be deemed air or gas tight. But nothing in this section contained shall be so construed as to prevent the removal of any clean-

out or unsealing of trap, to ascertain if the smoke has reached all parts of the system.

Section 377. PEPPERMINT TEST. The peppermint test shall be made by inserting plug in test fitting and using two ounces of oil of peppermint for each two inch stack up to four floors and three ounces for each four inch stack up to four floors and one additional ounce for each size of increase in pipe of stack and for each additional two floors. Three gallons of steaming hot water shall be poured into stack to be tested and this shall immediately be followed by pouring in the required amount of peppermint which shall be washed down with another three gallons of steaming water and roof opening tightly closed. All windows, doors and other openings in building being so tested shall be carefully closed and maintained closed until permission to open same is given by inspector conducting such test. Person handling the peppermint shall not enter said building until after so ordered, and such test shall not be made on a windy day.

Section 378. DEFECTIVE WORK—TEST—TIME ALLOWED. If test shows defects the defective work or material shall be replaced within three days and the test again applied.

Section 379. GENERAL PENALTY FOR VIOLATION OF CODE. Any person, firm or corporation violating any of the sections or provisions of this chapter, shall be subject to the specific penalty provided for the particular violation, if such specific penalty is prescribed; and if no specific penalty is prescribed shall, on conviction of such violation, be fined in a sum of not less than five dollars and not more than two hundred dollars for each and every offense; and for each day any such violation continues, he or they may be charged and found guilty of a separate and distinct offense.

CHAPTER XX.

Hospitals.

Section 1. LICENSE REQUIRED. It shall be unlawful for any person, firm, association, or corporation other than the regularly constituted authorities of the United States, the State of Illinois, the County of Cook, or the Village of Kenilworth, to open, conduct, manage, or maintain any hospital as defined of this chapter within the corporate limits of the Village of Kenilworth, without first obtaining a license therefor, as hereinafter provided.

Section 2. HOSPITAL DEFINED. For the purpose of these ordinances, a hospital is hereby defined to mean any institution or place used as a health station or retreat for the reception or care, temporary or continuous, of two or more sick, injured, or dependent persons; or used for the treatment of two or more persons suffering from or afflicted with any mental or physical disease or bodily injury, including all sanitariums, all hydropathic and massage institutions. For the purpose of these ordinances, a maternity hospital is hereby defined to mean any institution or place used for the reception and care, temporary or continuous, of one or more women during pregnancy while awaiting confinement, during confinement, or while recovering therefrom.

Section 3. HOW LICENSE OBTAINED. Any person, firm, association, or corporation desiring such license shall apply in writing to the President of the Village Board, and shall truly state in said application the location or proposed location of the hospital; the purpose for which it is to be opened, conducted or maintained; the accommodations or proposed accommodations for the inmates thereof; the nature and kind of treatment given or proposed to be given therein, the name and address of the chief physician, surgeon, or attending chief physician or surgeon, or board of physicians or surgeons attendant therein.

It shall be the duty of the President of the Board upon the presentation of such application, to make or cause to be made a strict inquiry into the facts set out in such application, and if upon such inquiry he shall find such hospital is or is intended to be so conducted as to afford proper accommodations for

the care of the persons received or proposed to be received therein, and that the chief physician or surgeon, or attending chief physician or surgeon or board of physicians or surgeons thereof, gives or is under agreement thereafter to give such attendance therein as does or will render him or them responsible, professionally, for the medical or surgical treatment given or to be given to any and all patients therein and that such chief physician or surgeon or board of physicians or surgeons, is regularly authorized to act as such under the laws of the State of Illinois, or that such hospital complies or is intended to comply with all the rules and regulations which shall then be in force concerning the management or control of such hospitals, then the President may in his discretion recommend to the Village Board that a license be issued, and upon the payment by the applicant of the license fee hereinafter provided to the Village Treasurer, the Village Board may direct the Village Clerk to issue, or cause to be issued, a license signed by the Village Clerk and the Village President authorizing such applicant to open, conduct, manage or maintain for the current year a hospital or sanitarium at the place, in the manner, and for the purpose in such application set forth.

Section 4. LICENSE FEE. License fee to be paid annually to the Village Treasurer for such hospital or sanitarium license shall be one hundred dollars ($100.00). Every such license shall expire on the 31st day of December following the date of issue, and when issued for a period of less than one year, the fee to be paid for the unexpired license period shall be the proportionate part of the annual rate, but no fee shall be less than fifty dollars.

Section 5. BUILDING REQUIREMENTS. Every such hospital or sanitarium building which is more than two stories in height shall be of fireproof construction throughout. In every such hospital or sanitarium each room occupied or to be occupied by patients shall be of such dimensions as shall give to each patient not less than one thousand cubic feet of space. Every such room shall have at least one window connecting with the external air for every bed. Said windows shall be of such dimensions as shall secure each patient at least 2,500 cubic feet of fresh air per hour by natural ventilation, or in case said window shall not secure said 2,500 cubic feet of air per hour by natural ventilation, then each room shall be fitted with such

appliances for ventilation as shall secure to each patient at least 2,500 cubic feet of fresh air per hour. Each bed shall have at least 125 square feet of floor space. In case of a maternity hospital, a regularly licensed physician must reside on the premises. Each room in said hospital or sanitarium shall have running water furnished in one or more places in said room so that the same may be adequate and convenient to the occupants thereof. The plumbing, water closets, bath rooms, and other sanitary appliances and equipment shall be constructed in accordance with the Village ordinances relating thereto. The floor of the cellar in any building used as a hospital or sanitarium shall be properly cemented so as to be water-tight. The halls of each floor shall be open to the external air, with suitable windows and shall have no room or other obstruction at either end thereof, unless sufficient light or ventilation is otherwise provided for in said hall, and the building as a whole shall be provided with adequate and proper fire escapes, stairways or inclines or exits.

Section 6. LICENSE—HOW OBTAINED. Any person, firm, or corporation desiring to build, construct, maintain, conduct, or manage in any block in which one-half or more of the buildings situated within one thousand feet from the nearest point in any boundary line of such block in which the proposed hospital may front are devoted exclusively to residence purposes, any hospital or sanitarium, the owners shall, before a license is issued therefor, present to the President of the Board with the application for such license, the written consent to the location of such hospital or sanitarium in the place specified of a majority of the resident property owners according to frontage in said block, and also the written consent of a majority of the resident property owners according to frontage of all property within one thousand feet from the nearest point in any boundary line of the block in which said building is proposed to be located or such hospital or sanitarium conducted.

Section 7. NO HOSPITAL NEAR SCHOOL. No hospital or sanitarium of any kind or description shall hereafter he erected or established within two thousand feet of any property used for school purposes.

Section 8. INSPECTION. Every hospital or sanitarium conducted, maintained, or managed by any person or corporation

licensed as aforesaid shall at all times be open to the inspection of the Health Commissioner or his duly appointed associates or inspectors; and the Health Commissioner is hereby authorized and empowered to inspect the same or cause inspection thereof to be made whenever and as often as he may deem proper; and if, upon such inspection, he shall find any such hospital or sanitarium to be conducted, managed, or maintained in violation of the terms of the application for the license under which such hospital or sanitarium was opened, conducted, managed, or maintained, or in violation of any provisions of the Village ordinances or any of the health or sanitary rules or regulations of the Village, then in that event, he shall recommend to the Village Board the revocation of any such license issued for the opening, conducting managing or maintaining of any such hospital or sanitarium, and the Village Board may revoke such license upon such recommendation, or for any other good and sufficient cause.

Section 9. PENALTY FOR OPERATING WITHOUT LICENSE. Any person, firm, association, or corporation opening, conducting, managing, or maintaining a hospital or sanitarium as herein defined within the Village, without first having obtained a license therefor, as provided in this chapter, or after the revocation of said license under the authority conferred by this chapter or in violation of any of the terms of this chapter, shall, upon conviction, be fined not less than $100.00, nor more than $200.00 for each offense, and a separate and distinct offense shall be considered as having been committed for each and every day on which such person, firm, association, or corporation shall be guilty of any such violation, failure, or refusal to comply with any of the provisions of this chapter; provided that in the event of a conviction of any such person, firm, association, or corporation for violation of any of the provisions of this chapter relating to the safety and accommodation of patients, it shall be the duty of the Health Commissioner, and he is hereby authorized and empowered to close such hospital conducted, managed, or maintained by any such person, firm, association, or corporation convicted as aforesaid, and to cause its vacation pending the repairs, alterations, or accommodations necessary to make it safe and proper for the occupancy of its inmates, and to make it comply with the terms of this chapter.

CHAPTER XXI.

Public Garages.

Section 1. LICENSE REQUIRED. No public garage or building where automobiles or other vehicles are kept for hire or for livery purposes, or where such vehicles are stored, charged or kept for the general public for a compensation to be paid by the owner of such vehicle or where automobile repairing is done for the general public shall be built, operated or maintained within the Village of Kenilworth without first having obtained a license as hereinafter provided.

Section 2. LICENSE—HOW OBTAINED. Any person, firm or corporation desiring to maintain, operate or conduct any public garage in the Village of Kenilworth shall make application in writing to the President of the Village for a license so to do stating therein the name and residence of the applicant and the location, character and size of the proposed garage. If the President of the Village shall be satisfied that such garage will be properly conducted and maintained and will not be or become a public nuisance or menace to the safety or comfort of the citizens of said Village, he shall cause to be issued to such applicant a license to establish and maintain such public garage at the location named in said application upon payment of the license fee hereinafter specified; provided, however, that any person, firm or corporation desiring hereafter to conduct or operate any public garage at any place within the Village of Kenilworth where one-half or more of the buildings situated within five hundred feet from the nearest point in any block in which such public garage is proposed to be located are used exclusively for residence purposes, shall, before a license is issued for the conduct or operation of such public garage, present to the President with his application, the written consent to the location of such public garage at the place indicated by a majority of the resident owners according to frontage of all lots and property any part of which is situated within five hundred feet from such proposed public garage or within five hundred feet from the nearest point in such block to the nearest point in such lot or property.

Section 3. FEE. For all garages where vehicles are kept ready for use and where compensation is paid to the keeper

thereof for such keeping, or where vehicles are kept to be let out for hire, or reward, or where automobile repairing is done for the general public, the license fee shall be twenty-five dollars ($25.00) per annum, and all such licenses shall expire on December 31st following the date of issuance.

Section 4. PENALTY. Any person, firm or corporation opening, conducting, managing or maintaining a public garage as defined in this chapter, within the Village of Kenilworth, without first having obtained a license therefor, as provided in this chapter, shall, upon conviction thereof, be fined not less than ten dollars nor more than two hundred dollars and a separate and distinct offense shall be considered as having been committed for each and every day on which such person, firm or corporation shall be guilty of any such violation or refusal to comply with any of the provisions of this chapter.

CHAPTER XXII.

Sidewalks.

Section 1. CONSTRUCTION OF SIDEWALKS UNDER SUPERVISION OF VILLAGE BOARD. All public sidewalks, which may be constructed, laid or relaid in the Village of Kenilworth or which may be ordered constructed, laid or relaid, by the Board of Trustees of said Village, shall be constructed, laid or relaid under the superintendence, and to the satisfaction of the President and Board of Trustees of said Village.

Section 2. WIDTH, SLOPE AND DISTANCE FROM LOT LINE. All public sidewalks shall be of concrete and shall be laid in sections or blocks of five feet in length and shall be five and one-third feet in width with a slope of one-fourth of an inch to the foot toward the center of the street on which they are laid, and with a space of eighteen (18) inches between the inner edge of the sidewalk and the lots on which they abut.

Section 3. PERMIT MUST BE OBTAINED. No person shall build, construct, lay or repair any public sidewalk, or cause the same to be done, except by permission and under the direction of the Chairman of the Street Committee, and then only in accordance with the provisions of this chapter and such permit, and at the grade specified in such permit or ordinance ordering such sidewalks. The applicant for such permit shall pay to the Village Clerk a fee of two cents per lineal foot for such sidewalk the minimum of which fee shall be one dollar.

Section 4. SPECIFICATIONS FOR SIDEWALKS. Whenever any public sidewalk shall be constructed or laid in or along any street, avenue or public highway in the Village of Kenilworth, unless otherwise ordered by the Board of Trustees, the surface of the ground shall be graded, by being excavated or filled as the case may require, so as to permit such walk to be laid to the grade established by the Board of Trustees and shall be smoothed, thoroughly wetted and compacted, and covered with a uniform layer six inches in thickness of thoroughly compacted, clean coarse cinders; upon which layer of cinders shall be spread a uniform layer of hydraulic cement concrete four and one-half inches in thickness, composed of one part of cement equal in quality to the best American Portland cement,

and two parts of clean, sharp sand, thoroughly mixed with four parts of crushed limestone, consisting of pieces varying in size from three-quarters of an inch to one inch in diameter, and sufficient water added to make a good concrete and give a surplus of moisture when rammed, which layer of concrete shall be thoroughly rammed and compacted. Before said concrete layer has set, a top layer or finishing coat shall be placed thereon, three-fourths of an inch in thickenss, to be made of one part of cement, of the quality above specified, and one part of clean torpedo sand, mixed to a proper consistency with water and spread smoothly before the under layer has set, and thoroughly troweled to a smooth finish.

Section 5. NAME AND YEAR TO BE STAMPED IN WALK. Any person building public cement sidewalks in the Village of Kenilworth shall provide himself with a metal stamp with which he shall stamp his name and year of construction in all sidewalks laid by him during such year. Said name and date shall be stamped at each end of each piece of walk laid by him before the work sets. The letters and figures of such impression shall be at least one-half (½) inch high and three-sixteenths (3/16) of an inch in width.

Section 6. NOTICE TO RELAY WALK. Whenever any sidewalk or portion thereof shall be required or directed to be relaid, or shall become broken, or need ordinary repairs, the Chairman of the Committee on Streets shall give notice thereof to the owner, owners or agent of the property or to the person or persons making the last payment of taxes to repair, renew or relay the same without delay, and unless said owner of the premises or his agent shall repair, renew or relay the same within thirty days the Village Board may proceed to condemn the same and cause such walks to be renewed by special assessment or by special taxation, and the provisions of this chapter shall apply as far as practicable.

Section 7. PENALTY. If any person shall build, renew, repair, lay or relay, or assist in doing so, any sidewalk or portion thereof in the Village of Kenilworth, contrary to the provisions of this chapter or the ordinance ordering said walks constructed or relaid or repaired, or lay the same on a grade not established by the Village Board, he shall be fined, upon conviction thereof, not less than five dollars, and not more than one hundred dollars for each offense.

Section 8. LICENSE—WHEN REQUIRED—FEE. No person shall engage in the business of constructing or repairing sidewalks in any public street or place in the Village of Kenilworth without first having obtained a license therefor and furnishing a bond as hereinafter named; provided, that the provisions of this section shall not apply to any person desiring to lay a sidewalk in front of property owned by him. Before the license is delivered, the licensee shall pay to the Village Clerk the sum of two dollars therefor.

Section 9. SIDEWALK CONTRACTOR'S BOND. Every person so licensed, shall, before receiving such license, deposit with the Village Clerk on a form furnished by said Village a bond in the penal sum of five thousand dollars with surety to be approved by the Village Board and conditioned to indemnify, save and keep harmless the said Village of Kenilworth from any and all loss, costs, expense or liability of any kind whatsoever which said Village may suffer or be put to or which may be recovered from it by reason of the issuance of such license or by reason of any act or thing done or neglected to be done under or by virtue of the authority given in such license.

Section 10. REPAIR OF WALKS—REVOCATION OF LICENSE. Every person so licensed shall maintain and keep in repair all sidewalks constructed by him for a period of five years from the date of completion thereof, and failure to do so shall be sufficient cause for revocation of his license by the President; but no such requirement shall be made except as to repairs necessitated by faulty or improper materials, poor workmanship, or failure to properly protect the sidewalk from damage by the elements.

Section 11. PERSONS INJURING SIDEWALK TO RESTORE SAME. If any person shall break or otherwise injure any public footpath or sidewalk or cause or permit the same to be done, such person shall forthwith cause the same to be well and sufficiently repaired and mended under the direction of the Chairman of the Committee on Streets.

Section 12. NOT TO DRIVE OVER SIDEWALKS. No owner or occupant of any house within the corporate limits of said Village shall permit, or suffer any wagon or cart or any wheeled vehicle, to be driven, or otherwise to pass, or go over, or upon, any parkway or sidewalk, except where a driveway

has been provided over the same, for any purpose whatever, nor shall any person drive any such vehicle over the same unless said parkway or sidewalk, or both, as the case may be, shall be covered with suitable planking to protect same from injury, nor unless such person shall first deposit with the Village Treasurer fifty dollars to be held as security against injury to such parkway or sidewalk and in case no such injury shall occur or if injured upon the full and complete restoration thereof to the satisfaction of the President of said Village or the Chairman of the Committee on Streets, said deposit shall be returned to the person making it, otherwise such deposit, or so much thereof as may be necessary, shall be used to make such restoration and to pay all costs and expenses connected therewith.

Section 13. GENERAL PENALTY. Any person who shall violate any of the provisions of this chapter, where a specific fine or penalty has not been provided for, shall upon conviction thereof, be fined not less than five dollars and not exceeding one hundred dollars.

CHAPTER XXIII.

Streets.

Section 1. STREETS NOT TO BE OBSTRUCTED. No person shall encumber or obstruct any street, highway or other public place by placing thereon any building material or any article or thing whatsoever without a permit so to do issued by authority of the Village Board.

Section 2. PAVEMENTS NOT TO BE TORN UP. No person shall tear up, raise or lower any pavement or sidewalk or any part thereof or remove any soil or turf from any public ground without a permit so to do issued by authority of the Village Board and such permit will be granted only upon the deposit by the applicant therefor with the Village Treasurer of a sufficient sum to secure the cost of restoring such pavement or sidewalk, soil or turf, which deposit shall be not less than fifty dollars and shall be returned to the person making it upon such restoration being approved by the Village President or the Chairman of the Committee on Streets, otherwise such deposit, or so much thereof as may be necessary, shall be used to make such restoration and pay all costs and expenses connected therewith.

Section 3. BARRIERS TO BE PLACED. Whenever any person shall do any work which requires the digging up, use or occupancy of any street, highway or public ground, such person shall, while doing said work, put up and maintain such barriers and lights as will effectually prevent accident in consequence of such digging up, or occupancy of said street, highway or public grounds.

Section 4. HORSES NOT TO BE HITCHED TO TREES, ETC. No person shall fasten or hitch any horse or other animal to or near any public lamp post or to any fence, railing, ornamental or shade tree or shrub in or upon any public ground, street, alley, park or other public place in the Village of Kenilworth.

Section 5. STREET NAMES AS SHOWN ON OFFICIAL MAP. The streets and avenues of the Village of Kenilworth shall hereafter be known and designated by the names applied thereto, respectively, on the map of said Village now on file

in the office of the Village Clerk, which was originally approved by the Village Board by ordinance establishing street numbers passed April 8, 1918, and which shall continue to be the names of said streets and avenues respectively, until changed by ordinance.

Section 6. PENALTY. Any person who violates any of the provisions of this chapter shall, upon conviction thereof, be fined not less than five dollars and not more than one hundred dollars for each and every offense.

CHAPTER XXIV.

House Numbers.

Section 1. DUTY TO NUMBER BUILDINGS. It is hereby made the duty of the owner, agent or person in possession of every building in the Village of Kenilworth, except barns, outhouses or garages located upon premises used for dwelling purposes, to number such building in the manner herein provided.

Section 2. BASIS FOR NUMBERING NORTH AND SOUTH. The base lines for numbers on streets, avenues and roads running north and south, or northwesterly and southeasterly, shall be as follows: For numbers between 100 and 199, a line parallel with and 1,000 feet southeasterly from the northwesterly line and the northwesterly line extended of Oxford Road: For numbers between 200 and 299, the northwesterly line and the northwesterly line extended of Oxford Road: For numbers between 300 and 399, the northwesterly line and the northwesterly line extended of Woodstock Avenue: For numbers between 400 and 499, the northwesterly line and the northwesterly line extended of Kenilworth Avenue; For numbers between 500 and 599, the northwesterly line and the northwesterly line extended of Melrose Avenue: For numbers between 600 and 699, the northwesterly line of Cumberland Avenue.

Section 3. BASIS FOR NUMBERING EAST AND WEST. The base lines for numbers on streets, avenues and roads running east and west, or northeasterly and southwesterly, shall be as follows: For numbers between 0 and 99, a line parallel with and 800 feet northeasterly of a line drawn from the point of intersection of the center line extended of Winnetka Avenue with the northeasterly line of Sheridan Road, southeasterly parallel with the northeasterly line and the northeasterly line extended of Raleigh Road, but no numbers included in this series shall be assigned to points westerly of the southwesterly line of Sheridan Road: For numbers between 100 and 199, a line drawn from the point of intersection of the southeasterly line of Oxford Road with the southwesterly line of Sheridan Road, northwesterly parallel with the northeasterly line and the northeasterly line extended of Raleigh Road, but no num-

bers included in this series shall be assigned to points easterly of the northeasterly line of Sheridan Road: For numbers between 200 and 299 the southwesterly lines and the southwesterly lines extended of Leicester and Roslyn Roads: For numbers between 300 and 399, the southwesterly line and the southwesterly line extended of Essex Road: For numbers between 400 and 499, the southwesterly line of Cumnor Road.

Section 4. ASSIGNMENT OF NUMBERS—MAP ON FILE WITH CLERK. On streets, avenues and roads running northwesterly and southeasterly, or northeasterly and southwesterly, there shall be assigned one number for each twenty-five (25) feet on each side of each of said streets, avenues and roads. On streets, avenues and roads running north and south, or east and west, there shall be assigned one number for each forty (40) feet on each side of each of said streets, avenues and roads, so that the numbers on said streets, avenues and roads shall conform to and be equalized with, as nearly as may be, the numbers on the streets, avenues and roads running northwesterly and southeasterly, and northeasterly and southwesterly, as is more fully described, represented and set forth in a street numbering map on file in the office of the Village Clerk of said Village, which is hereby referred to and adopted and made a part hereof as fully as if set forth in full herein.

Section 5. ORDER OF NUMBERS. The numbers on all streets, avenues and roads shall begin at each of the said base lines with the lowest numbers in each of the several series and shall increase progressively toward the northwest or north, and toward the southwest or west. Odd numbers shall be assigned to easterly, northeasterly and northerly sides, and even numbers to westerly, southwesterly and southerly sides of all streets, avenues and roads.

Section 6. VILLAGE CLERK TO ASSIGN NUMBERS. The Village Clerk shall assign to each lot or house its proper number and shall inform the owner, agent or person in possession of such premises as to the number thereof, at any time upon demand.

Section 7. NUMBERS TO BE PLACED ON BUILDINGS WITHIN 30 DAYS. Said numbers so assigned shall be placed on each building in the Village within thirty (30) days after notice from the Village Clerk so to do, and the figures of such numbers shall be not less than three inches in height and of

such character as to be distinctly and easily read and shall be placed in a conspicuous place on the front of the building or premises to which the same are to be attached.

Section 8. PENALTY. Any person, being the owner, agent or person in possession of any building in said Village, who shall for thirty (30) days after notice neglect or refuse to number such building in conformity with the provisions of this ordinance shall be fined five dollars ($5.00) and a further penalty of five dollars ($5.00) for every thirty (30) days thereafter that he shall neglect or refuse so to number such building.

CHAPTER XXV.
Fences.

Section 1. NO DIVISION FENCE OVER SIX FEET HIGH —PENALTY. It shall be and it is hereby declared to be unlawful for any person or persons, or corporation, within the Village limits of the Village of Kenilworth, to erect or maintain upon the division line between the land or premises of such person or persons, or corporation, and the land or premises of another any partition fence that shall exceed in height six feet, and the erection or maintenance of any such fence is hereby declared to be a nuisance, and any person, persons or corporation who shall erect or maintain such partition fence at a height of more than six feet, shall be deemed guilty of a misdemeanor, and shall, upon conviction of such offense, be fined not to exceed the sum of five dollars for each offense. And any person, persons or corporation who has erected or who maintains such fence, and who shall fail, neglect or refuse for three days after notice to him, them or it, by the Chief of Police or President of the Village, to remove such partition fence shall be deemed guilty of a misdemeanor, and shall, upon conviction of such offense, be fined ten dollars for each and every day such fence shall remain at a height of more than six feet after the expiration of said three days.

Section 2. BARBED WIRE FENCE PROHIBITED. It shall be and is hereby declared to be unlawful for any person or persons, or corporation, within the Village limits of the Village of Kenilworth, to erect or maintain any barbed wire fence or any fence of which any part is composed of barbed wire along or adjacent to any street or public sidewalk, and the erection or maintainence of any such fence is hereby declared to be a nuisance, and any person, persons or corporation, who shall erect or maintain such fence shall be deemed guilty of a misdemeanor, and shall, upon conviction of such offense, be fined not to exceed the sum of five dollars for each offense. Any person, persons or corporation, who shall fail, neglect or refuse for three days after notice by the President of the Village, or Chief of Police of said Village to remove all barbed wire from any such fence, shall also be deemed guilty of a misdemeanor, and shall, upon conviction of such offense, be fined ten dollars for each and every day such fence containing barbed wire shall remain after the expiration of said three days.

CHAPTER XXVI.

Trees and Shrubs.

Section 1. TREES AND SHRUBS NOT TO OBSTRUCT VIEW AT STREET INTERSECTION. That upon property situated at the intersection of any two public streets or highways no vine, shrub, tree, bush, plant, or any vegetation exceeding the height of five (5) feet, unless the foliage and limbs of same are trimmed for a space of at least seven (7) feet from the ground so that the view may not be unnecessarily obstructed, shall be planted, maintained or permitted to remain at a less distance from the nearest point of intersection than the straight line connecting the two points of said intersecting streets or highways forty (40) feet from such point of intersection, measured on the lot line.

Section 2. PENALTY—TEN DAYS' NOTICE. The owner of any such property upon which is maintained or permitted to remain any vine, shrub, tree, bush, plant or any vegetation of a greater height and nearer to any such intersection than is specified in the first section of this chapter, unless the foliage and limbs are trimmed as specified in said first section hereof, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than five (5) dollars nor more than two hundred (200) dollars for each offense. Each day upon which any vine, shrub, tree, bush, plant or any vegetation is maintained or permitted to remain in violation of said section 1 hereof, after the expiration of ten days' written notice to remove or trim such vine, shrub, tree, bush, plant or any vegetation shall have been given by the Village Clerk to the owner of the property upon which such vine, shrub, tree, bush, plant or any vegetation is situated, shall constitute a separate offense under this section.

Section 3. REQUIREMENTS FOR TREES AND SHRUBS IN PARKWAYS. No vine, shrub, tree, bush or plant, except trees, the foliage and limbs of which are trimmed for a space of at least five feet from the ground, so that the view shall not be unnecessarily obstructed, shall be planted, maintained or permitted to remain in any parkway or public ground between the sidewalk and the adjacent curb line of any public street or highway.

Section 4. TREES, SHRUBS AND HEDGES NOT TO ENCROACH UPON SIDEWALKS. No person shall permit any tree, shrub, hedge, vine, bush or other vegetation located upon or adjacent to any lot or parcel of land owned or occupied by him to grow or extend beyond the limits of such lot line into, over or upon any public sidewalk or street in such a manner as to obstruct the reflection of any street lamp or to interfere with the full use and right of unobstructed passage by persons upon and over such public sidewalk or street at all times.

Section 5. TREES NOT TO BE DESTROYED OR INJURED. No person shall destroy, injure, deface or mar any shade or ornamental tree growing in any public street, parkway, park or other public grounds without permission of the President and Board of Trustees of the Village, but trees growing in parkways and streets may be properly trimmed by the owner or occupant of the lot or parcel of land adjacent thereto.

Section 6. GENERAL PENALTY. Any person who violates or refuses to comply with any of the provisions of this chapter, where no other or different penalty is provided, shall, upon conviction thereof, be fined not less than five dollars nor more than one hundred dollars.

CHAPTER XXVII.

Health Department.

Section 1. HEALTH DEPARTMENT ESTABLISHED. There is hereby established an executive department of the municipal government of the Village of Kenilworth, which shall be known as the Department of Health, and shall embrace the Commissioner of Health and such health officers as the Board of Trustees may from time to time appoint.

Section 2. OFFICE OF COMMISSIONER CREATED—APPOINTMENT. There is hereby created the office of Commissioner of Health. He shall be the head of said Department of Health and shall have the management and control of all matters and things pertaining thereto. He shall be appointed by the President of the Village, by and with the consent of the Board of Trustees.

Section 3. CONTROL AND SUPERVISION. Said Commissioner shall have and exercise a general supervision over the sanitary condition of the Village and all orders and directions emanating from said department shall be issued in the name of said Commissioner.

Section 4. ADVICE—INVESTIGATE CONTAGIOUS DISEASE. The Commissioner of Health shall give to the Village authorities all such professional advice and information as they may require, with a view to the preservation of the public health, and, whenever he shall hear of the existence of any malignant, contagious or infectious disease, he shall investigate the same and take measures to arrest its progress.

Section 5. ADOPT MEANS TO PREVENT SPREAD OF DISEASE—REQUIRE VACCINATION—P E N A L T Y. The said Commissioner of Health may take such measures as he may from time to time deem necessary to prevent the spread of smallpox, or other contagious or infectious disease, by issuing an order requiring all persons in said Village, or any part thereof, requiring vaccination, to be vaccinated within such time as such Commissioner shall prescribe, or to conform to such other reasonable sanitary regulations as he may establish. All persons refusing or neglecting to obey such order shall be liable to a fine of not less than five dollars nor more than one hundred dollars for each offense. Provided, that it shall be the

duty of said Commissioner of Health to provide for the vaccination of such persons as are unable to pay for the same, at the expense of the Village.

Section 6. HEALTH OFFICERS MAY BE APPOINTED—DUTIES OF. The Board of Trustees may from time to time appoint one or more health officers, whose duties it shall be to carry out all the orders of the Commissioner of Health, the laws of the State, and the ordinances of the Village relating to the sanitary regulations of the Village, and who shall hold their office during the pleasure of the Board of Trustees.

Section 7. EXAMINE CONTAGIOUS CASES REPORTED—ORDER REMOVAL AND CARE. It shall be the duty of the Commissioner of Health to visit and examine or to cause to be visited and examined by a health officer, all sick persons, who shall be reported to said Commissioner as taken or supposed to be taken, with any infectious or contagious disease, and, cause all such infected persons to be removed to the cholera, smallpox or other hospital, or to such other safe and proper place as he may think proper, and cause such persons to be provided with suitable nurses, medical attendance and nourishment at their own expense, if they are able to pay for the same but if not, then at the expense of the Village.

Section 8. ENFORCE HEALTH LAWS AND ORDINANCES—INSPECT BUILDINGS. It shall be the duty of the Commissioner of Health and health officers to enforce all the laws of the State and ordinances of the Village in relation to the sanitary regulations of the Village. And, for the purpose of carrying out the foregoing requirements, they shall be permitted at all times, from the rising to the setting of the sun, to enter into any house, store, stable or other building, and to cause the floors to be raised if they shall deem it necessary in order to make a thorough examination of cellars, vaults, sinks or drains; and to cause all privies to be cleansed and kept in good condition; and to cause all dead animals or other nauseous or unwholesome things or substances to be buried or removed beyond the limits of the Village.

Section 9. POWER TO DISINFECT PREMISES—PENALTY. The Commissioner of Health shall have power to cause any house or any premises to be cleansed, disinfected, or closed to visitors, and to prevent persons from resorting thereto while any person therein is afflicted with any infectious or con-

tagious disease, and he may, by an order in writing, direct any nuisance affecting the sanitary conditions of the Village to be abated, or unwholesome matter or substance, dirt or filth, to be removed from any house or premises, and may prescribe the time and mode of doing so, and take any other measures he may deem necessary and proper to prevent the spread of any infectious, contagious or epidemic disease. Any person who shall neglect or refuse to obey such orders, directions or instructions of said Commissioner of Health shall be fined not less than five dollars nor more than one hundred dollars.

Section 10. NOTICE OF CONTAGIOUS DISEASE TO BE POSTED—PENALTY. It shall be the duty of the Commissioner of Health to cause a notice, printed or written in large letters, to be placed upon or near any house in which any person shall be affected or sick with smallpox, scarlet fever, or any infectious, contagious or epidemic disease, upon which shall be written or printed the name of such disease, and if any person or persons shall deface, alter, mutilate, destroy or tear down such notice, without permission of the Commissioner of Health, or of the health officer, such person or persons shall be liable for such offense, to pay a fine of not less than twenty-five dollars nor more than fifty dollars. The occupant of any house upon which such notice shall be placed or posted as aforesaid, shall be held responsible for the removal of such notice, and if the same shall be removed without the permission of the Commissioner of Health, or of the health officer, such occupant shall be subject to a fine of not less than twenty-five dollars nor more than fifty dollars.

Section 11. COMMISSIONER OF HEALTH TO HAVE CHARGE OF HOSPITAL—FURNISH SUPPLIES, ETC. The Commissioner of Health shall have charge of any emergency hospital which may be established by the Board of Trustees in case of any epidemic being prevalent in the Village, or other place to which sick or infected people are removed, and shall have power to supply such assistants and nurses as he may deem necessary, and it shall be the duty of the Commissioner of Health to see that such hospital, or other place to which such infected people are removed, is supplied with suitable furniture, nourishment, fuel, nurses and medicines and that any persons dying therein, or in other places under charge of the Village, are decently and properly buried.

Section 12. PHYSICIANS TO REPORT CASES OF CONTAGIOUS DISEASE—PENALTY. Every physician practicing in this Village, who shall have any patient affected or sick with any malignant fever, cholera, smallpox, or any contagious or infectious disease, shall forthwith make report thereof in writing to the Commissioner of Health, describing the location of the house or place where said patient may be, with such certainty that the same may be easily found, and, in case said patient has died, to report the same within twenty-four hours after said death, with the specified name or type of the disease. Any physician who shall withhold such information, or neglect or refuse to comply with the provisions of this section, shall be fined in a sum not less than five dollars, nor more than two hundred dollars for each day he shall neglect or refuse so to do.

Section 13. HOTEL, BOARDING HOUSE KEEPERS AND OTHERS TO NOTIFY BOARD. Every keeper of any boarding house or lodging house, and every inn keeper and hotel keeper, shall within twenty-four hours, report in writing to the Commissioner of Health, the same particulars in the last section required of any physician, concerning any person being at any of the aforesaid houses or hotels, and attacked with any contagious or infectious disease; and every person knowing of any individual in said Village sick of any contagious or infectious disease (where such person shall have reason to regard such individual as neglected or not properly cared for), and every physician hearing of any such sick person whom he shall have reason to think requires the attention of the Commissioner of Health, shall at once report the facts to said Commissioner in regard to the disease, condition and dwelling place, or position of such sick person.

Section 14. PERSONS WITH CONTAGIOUS DISEASE NOT TO BE REMOVED WITHOUT PERMIT. No person shall, within the Village, without a permit from the Commissioner of Health, carry or remove from one building to another any person sick of any contagious or infectious disease, nor shall any person by any exposure of any individual sick of any contagious or infectious disease, or of the body of such person, or by any negligent act connected therewith, or in respect of the care or custody thereof, or by a needless exposure of himself when sick and not fully recovered, cause or con-

tribute to, or promote the spread of disease from any such person, or from any dead body.

Section 15. SCHOOLS—JURISDICTION AND DUTIES REGARDING. The Commissioner of Health shall have jurisdiction in all matters pertaining to the preservation of the health of those in attendance upon the public and private schools in the Village; to which end it is hereby made the duty of said Commissioner of Health: to require that all persons attending said schools, either as teachers or pupils, shall have complied with any order of the State Board of Health concerning vaccination; to exclude from such schools any person suffering with a contagious or infectious disease, or liable to convey such disease among those in attendance; to make regular inspections of all school buildings and premises, as to their hygienic condition, and to report the result of such inspection to the Board of Education and to those having charge and control of such schools, with instructions as to the remedy of condition (if such be found), whereby the health of those in attendance may be impaired, or life endangered. In the event of failure or refusal of those having such charge and control to carry out the instructions so given, then the Commissioner of Health shall cause such faulty conditions to be remedied at the proper cost and expense of those having charge and control of such school.

Section 16. COMMISSIONER TO VISIT SCHOOLS. The Commissioner of Health is hereby empowered to visit any and all public and private schools in the Village, and to make, or cause to be made, an examination of the children and minors in attendance therein, as often as he may deem necessary to secure compliance with the provisions hereof.

Section 17. SCHOOLS—TEACHERS SUBJECT TO PENALTY. Any principal or teacher of any school, who shall violate any of the provisions of the foregoing sections, or shall in any way prevent or attempt to prevent the Commissioner of Health or any health officer from exercising the power conferred on him by ordinance, shall be fined for each offense not less than ten dollars, nor more than fifty dollars.

Section 18. QUARANTINE—PERSONS NOT TO ENTER OR LEAVE BUILDING—PENALTY. Whenever the Commissioner of Health shall cause to be posted upon or near any house or building wherein any person is affected or sick with

any infectious or contagious disease, a notice announcing the name of such disease, as required by ordinance, such house or building shall be deemed to be quarantined, and during the time such notice shall remain posted, no person or persons shall resort to or enter said house or building or leave the same, except under the supervision of the Commissioner of Health and in accordance with such directions as said Commissioner may give for the regulation of persons desiring to enter or depart from such house or building during such quarantine, and any person who shall enter or depart from such house or building, or shall aid and abet any other person so to do, in violation of any such regulation or said Commissioner of Health, shall be fined not less than ten dollars, nor more than two hundred dollars, for each and every offense.

Section 19. FUMIGATING PREMISES—REGULATIONS CONCERNING. Whenever the Commissioner of Health shall notify the owner or other person in possession of any house or other building, wherein any person may have been sick with any infectious or contagious disease, that it is necessary that such house or building be fumigated for the purpose of destroying the germs of such disease, it shall be the duty of such householder to cause all persons to leave or be removed from said house, or such portion thereof as said Commissioner of Health may consider necessary, for such time as may be required for the proper fumigation thereof; and thereupon, the officer appointed by the Board of Trustees, or by said Commissioner of Health, for that purpose, shall proceed to fumigate said house, or such portion thereof as said Commissioner of Health may consider necessary, according to the direction of said Commissioner of Health. Any householder or other person in possession or control of any such premises, who shall refuse to leave the same and have said premises vacated by all other persons within three days after receiving notice so to do, or shall interfere with said officer or attempt to prevent the proper fumigation of said premises, shall be deemed guilty of a misdemeanor and shall be fined not less than ten dollars nor more than two hundred dollars for every such offense.

Section 20. EPIDEMICS—REGULATIONS CONCERNING. In case of epidemic disease, or of danger from anticipated or impending epidemic disease, or in case the sanitary condition of the Village should be of such a character as to warrant it, it shall be the duty of said Commissioner of Health

to take such measures, and to do, and order and cause to be done, such acts for the preservation of the public health (though not herein, or elsewhere or otherwise specially authorized), as said Commissioner, may, in good faith, declare the public safety and health to demand; and any person who violates, disobeys or refuses to comply with any of the rules, orders or sanitary regulations of said Commissioner of Health, made in conformity with this section, shall be subject to a fine of not less than ten dollars, nor more than two hundred dollars for every such offense.

Section 21. EXPENSES—HOW PAID. All necessary expenses incurred under any provision of this chapter, or any lawful regulation of said Commissioner of Health, shall be audited by the said Board of Trustees and paid out of the appropriate fund, or when necessary, out of the contingent fund of said Village; provided that when practicable all persons taken into hospital or quarantine, and there receiving aid and care, shall pay such moneys as shall be sufficient to meet the expenses, labor and care incurred in their behalf, which moneys, when received, shall be faithfully kept, accounted for and paid over to the Treasurer of said Village, on demand, by the officer receiving the same.

Section 22. POLICE POWERS OF COMMISSIONER AND HEALTH OFFICERS. The Commissioner of Health and all health officers shall have full police powers and shall have the right to arrest or cause to be arrested any person who violates any of the provisions of this chapter.

Section 23. POWER TO MAKE RULES AND REGULATIONS—EPIDEMICS—REGULATIONS CONCERNING. The Commissioner of Health shall have power to make such rules and regulations in relation to the sanitary condition of the Village and for the prevention and suppression of disease, not inconsistent with the provisions of this chapter, as he may deem necessary or advisable. Such rules or regulations shall not take effect and be in force until approved by the Board of Trustees, except in cases of emergency as hereinafter provided for. In case of contagious or epidemic disease or of danger from anticipated or impending contagious or epidemic disease, or in case the sanitary condition of the Village shall be of such character as to warrant it, it shall be the duty of the Commissioner of Health to make such rules and regulations and to

take such measures and to do and order to be done and cause to be done such acts for the preservation of the public health (though not herein or elsewhere or otherwise authorized) as he may in good faith believe and declare the public safety and health demand. All such rules and regulations so declared by the Commissioner of Health to be emergency rules and regulations shall, as soon as may be after the promulgation of the same, be reported by said Commissioner to the Board of Trustees for approval.

Section 24. PENALTY. Any person who shall violate, disobey or refuse to comply with any rule, order or sanitary regulation of the Department of Health made in conformity with the provisions of the preceding section, shall be fined not less than ten dollars nor more than two hundred dollars for each offense.

Section 25. RECORDS. It shall be the duty of the Commissioner of Health to cause to be kept a record of all transactions of said Department, including the proper registration of births and deaths, and such other statistical information as may be necessary for the efficient working of said Department; and he shall also keep on hand all necessary blanks to be used by physicians and furnish them with the same on application.

Section 26. COMPENSATION. The compensation of such Health Commissioner and health officers shall be such amounts as the Board of Trustees shall authorize from time to time as the circumstances may require.

Section 27. GENERAL PENALTY. Whoever violates any clause, section or provision of this chapter, not herein otherwise provided for, shall be fined not less than two dollars and not more than two hundred dollars for each offense.

CHAPTER XXVIII.

Foods.

Section 1. DEFINED. That for the purpose of this chapter the term "food" shall include all articles used for drink, food, liquor, confectionery, or condiment by man, whether simple, mixed, or compound.

Section 2. BUILDINGS TO BE SANITARY. Every building, room, or enclosure, occupied, used or maintained as a bakery, confectionery, creamery, restaurant, hotel, grocery, meat market, shop, warehouse, or manufacturing establishment, used for the preparation, manufacture, packing, storage, distribution or sale of any food which is intended for sale shall be properly and adequately drained, lighted, plumbed and ventilated, and shall be conducted with strict regard to the influence of such conditions upon the health of the clerks, employees and operatives or other persons therein employed, and the purity and wholesomeness of the food therein produced, manufactured, prepared, stored, sold, or distributed.

Section 3. PREMISES, UTENSILS, ETC. TO BE CLEAN. The floors, side walls, ceilings, furniture, receptacles, implements, and machinery of every such establishment or place where such food intended for sale is produced, prepared, manufactured, packed, stored, sold or distributed, and all cars, trucks, and vehicles used in the transportation of such food produced shall at no time be kept or permitted to remain in an unclean, unhealthful or insanitary condition; and for the purpose of this chapter, unclean, unhealthful or insanitary conditions shall be deemed to exist if food, in the process of production, preparation, manufacture, packing, storing, sale, transportation or distribution is not securely protected from flies, dust or dirt, and as far as may be necessary by all reasonable means protected from all foreign or injurious contamination, or if the refuse, dirt or waste products, subject to decomposition and fermentation incident to the manufacture, preparation, packing, storing, selling, transportation or distribution of such food are not removed daily, or if all trucks, trays, boxes, buckets or other receptacles, or the chutes, plat-

forms, racks, tables, shelves, knives, saws, cleavers, or other utensils or machinery used in moving, handling, cutting, chopping, mixing, canning, or in other processes are not thoroughly cleaned daily; or if the clothing or person of clerks, employees, operatives, or other persons therein employed is unclean.

Section 4. SCREENS TO BE PROVIDED. All such factories, buildings or parts thereof, containing food shall be provided with proper doors, and screens adequate to prevent contamination of the food by flies.

Section 5. LAVATORIES WATER SUPPLY, ETC. All bakeries, groceries, markets, restaurants, or food factories shall be supplied with sanitary water-closets and with sanitary lavatories with running water. Such water-closets shall not open directly from any room in which food is prepared, exposed for sale or stored, and such water-closets must have floors of non-absorbant material which must be washed daily. Such water-closets shall be furnished with separate ventilating flues and pipes, discharging into the open air, and such shall be lighted from the outside or provided with good and sufficient artificial light approved by the Commissioner of Health. Lavatories and wash rooms must be furnished with soap, running water and clean towels, and must be maintained in a sanitary condition. Clerks, employees, operatives and all persons who handle the material from which food is prepared, or the finished products, before beginning work, or after visiting the water-closets, shall wash their hands thoroughly in clean water. There shall be no expectorating on or about food, utensils, floors or side walls in any such buildings or any part thereof.

Section 6. UNSANITARY CONDITIONS A NUISANCE. Any such buildings or factories or any part thereof, and any such furniture, receptacles, implements, appliances or machinery, and any car, truck or vehicle used in the moving, distributing or transportation of any food product which shall be constructed, kept, maintained or permitted to remain in a condition contrary to any of the requirements of this chapter, is hereby declared to be a nuisance.

Section 7. SLEEPING IN ROOM WITH EXPOSED FOOD PROHIBITED. No person or persons shall sleep in any room where food is manufactured, prepared for sale, served, sold or stored, unless all such foods therein are at all times in hermetically sealed packages.

Section 8. NO PERSON WITH DISEASE TO BE EMPLOYED. No employer shall require, suffer or permit any person who is affected with any contagious or venereal disease to work, and no person so affected shall work, in any such building, factory or any part thereof, which is used for the production, preparation, manufacture, packing, storing, sale, transportation or distribution of food.

Section 9. FOOD NOT TO BE DISPLAYED ON SIDEWALKS—CLEAN RECEPTACLES. No fruits, vegetables, meats, sea-foods, confectionery, or other articles to be sold, or offered for sale, or intended for sale, for human food, shall be displayed or stored on the sidewalk, or outside any place of business, or in any open door or window, nor shall they be transported upon a public or private way, unless such articles are covered with cases of glass, wood, metal, paper, or other proper covering. No vegetables or fruits to be sold for human food shall be displayed or stored except in clean receptacles. No bakery or dairy products or food prepared for immediate consumption shall be displayed except in glass cases or under proper covers. No fruits, vegetables, sea foods, confectionery, or other articles to be sold or offered for sale, or intended for sale for human food shall be stored or displayed in any store except such fruits, vegetables, sea foods, confectionery, or other articles, shall be placed on a raised platform, elevated above the floor level, or otherwise suitably protected from contamination with the floor and other refuse thereon.

Section 10. BREAD TO BE WRAPPED. All bread sold or offered for sale as human food, must be wrapped in clean paper within a reasonable time of removal from oven and shall remain thus wrapped when offered for sale and until delivery to the consumer.

Section 11. SANITARY REQUIREMENTS FOR SALE OF MEATS. No person shall be permitted to sell fish or any meat at retail from any wagon or other vehicle in the Village of Kenilworth. No meat, fish or fowl, shall be displayed on any counter or show case in any market unless same is protected from handling (by others than employees) by a suitable screen of woven wire. All inclosed or indoor shops or markets in which meats or meat products are stored and exposed for sale shall be kept scrupulously clean. During the summer months all doors and windows opening into such shops shall be effec-

tively protected against the entrance of flies by the use of fly screens. No meats of any description shall be permitted to stand or hang in the open air exposed to insects, street dust or other contaminating influences, but must be under glass or fly netting, and in summer such meats shall be properly iced to prevent spoiling. Meats exposed in the open markets shall be covered with netting so as to effectively protect from flies. Blocks or stands upon which meats are cut or chopped, shall be kept scrupulously clean by frequent washing and by scraping. Scales, knives, and instruments of every description shall be cleaned at the close of each day's business. Ice boxes, racks and hooks shall be kept thoroughly clean by scrubbing and scraping, and ice boxes, shall be scoured throughout once each week, and oftener if necessary. Floors of every room or place where meats are sold or exposed for sale, must be thoroughly scraped and scrubbed twice a week; all used sawdust must be removed and fresh sawdust sprinkled or laid (where used) at least twice a week. Butchers and other persons or employees who handle meats which are sold or exposed or offered for sale, shall be cleanly dressed, and they shall be free from contagious and infectious diseases. Their hands and outer garments shall be kept clean. No refuse, scraps, bones, rancid fat or decaying flesh shall be kept in the ice boxes with fresh meats, nor shall an ice box used for the keeping of meats be employed for any other purpose. No meats shall be wrapped in old newspaper or in wrapping paper that is soiled, or that has been used for any other purpose. Every piece of meat sold shall be wrapped in fresh, clean, wrapping paper that has not been used for any other purpose.

Section 12. LIVE POULTRY NOT TO BE KEPT NEAR MEATS. Live poultry shall not be kept in the same room or compartment in which meats are prepared, stored or exposed for sale. Nor shall live poultry be kept in any room adjoining such room if the room used for storage for live poultry ventilates into it so that the odors from the fowls and their cages may contaminate the meat. No live fowls intended for sale shall be kept in any basement or cellar under any sidewalk. Places where such fowls are killed must have cenent floors with properly trapped sewer connections. Such floors must be washed thoroughly after each killing and shall at all times be kept in a clean and sanitary condition.

Section 13. ICE CREAM UTENSILS TO BE STERILIZED. All utensils and receptacles used in the manufacture, transportation and distribution of ice cream must be of porcelain, granite ware, dipped or block tin, or other seamless material in good condition, and such utensils and receptacles, if used more than once, shall be sterilized before using, at a temperature of not less than 212 degrees Fahrenheit, for a period of not less than fifteen minutes, and shall be kept so that their sterility shall be maintained.

Section 14. NO RE-FROZEN ICE CREAM TO BE USED. No re-frozen ice cream shall be sold, given away or distributed.

Section 15. UTENSILS FOR SODA WATER AND ICE CREAM—HOW CLEANED. All soda water fountains and all places where soda water, non-intoxicating drinks of all kinds, and ice cream are sold or offered for sale, shall be kept in a clean and sanitary condition. There shall be a sufficient supply of glasses, dishes, spoons and other utensils to serve such refreshments in a clean and sanitary manner; and all such glasses, dishes, spoons and other utensils shall be washed in clean hot soapy water and thoroughly rinsed each time after such glasses, dishes, spoons and other utensils are used, and they shall be dried in a sanitary manner.

Section 16. UNFIT FOODS TO BE CONFISCATED. The Commissioner of Health or any inspector authorized by him, is hereby empowered and directed to seize, confiscate, condemn and destroy all food which is or has become tainted, decayed, spoiled, adulterated, unwholesome or unfit for human consumption when found within the Village of Kenilworth and in the possession or under the control or on the premises of any person, firm, association, or corporation, provided that said food is exposed, or offered for sale, intended for human consumption.

Section 17. INSPECTION AUTHORIZED. All food inspectors shall have the power and it shall be their duty to enter and inspect all creameries, markets, grocery stores, fruit stores, ice cream parlors, soda fountains, hotel and restaurant kitchens, or any other place where meat, game, poultry, fish, milk, groceries, or other food products are offered for sale or stored, or any place where live poultry is held or offered for sale for human food, and to inspect any vehicle or wagon transporting meat, fish, game, or poultry from one point to another or through the Village. They shall have the right to examine the

ice houses and refrigerators in hotels and restaurants. They may enter any house, factory or place where dead animals are skinned or rendered, or where the offal from meat markets, such as fat, heads, or feet are treated or disposed of. Any person who shall in any manner interfere or attempt to interfere with said inspectors in the discharge of their duties, or any person or persons being the owners, agents or managers of any market, store, creamery, hotel or restaurant, who shall refuse to permit such inspectors to have full access to such premises, or who shall attempt to conceal or remove any animals supposed to be diseased, or any meat, fish, game, poultry, or other products that the insepctors desire to inspect, shall be guilty of a violation of this chapter.

Section 18. INSPECTION ONCE EACH MONTH. Every butcher shop, dairy, creamery, grocery store, delicatessen, confectionery shop, restaurant, and hotel kitchen or dining room, lunch counter, soda fountain, and every other place where food or food products are stored, shipped, handled, or sold, must be inspected by the local food inspectors of the Village of Kenilworth, at least once in every month.

Section 19. CONDITIONS TO BE RECORDED. A score card printed in proper blank form, prepared by the Commissioner of Health, shall be used for the purpose of designating conditions found on inspection. The inspector must carefully inspect every part of the place where food or food products are handled, and must fill in the blank space on the score card in accordance with the conditions found to exist. Under the title "Remarks" the inspector must designate any unsanitary condition found to exist which is not otherwise noted on the score card. After the inspection is completed, the score card must be signed by the proprietor or person in charge of the premises in whose presence the inspection is made.

Section 20. MANNER OF RECORDING CONDITIONS. When the score card of any grocery, meat market, or cart, soda fountain and ice cream parlor, confectionery, shop or factory, bakeshop, hotel, restaurant or lunch counter, kitchen, or dining-room or similar place of business shall fall below 70, but shall reach 60 or more, the owner or proprietor of such place shall be so notified by the Commissioner of Health, and if upon subsequent inspection the score of any such place shall fall below 60, the products from such place shall be deemed to

have been produced under unsanitary conditions, the sale of which is hereby prohibited.

Section 21. PENALTY. Any person, firm or corporation who violates any clause, section or provision of this chapter, or who disobeys, omits, neglects or refuses to comply with the same, shall be subject to a fine of not less than five dollars nor more than two hundred dollars for each and every offense, and such person, firm or corporation, shall be deemed guilty of a separate and distinct offense for each and every day during which such person, firm or corporation shall violate or shall refuse, neglect or fail to comply with any one or more of the requirements of this chapter or any section or clause or any provision thereof.

CHAPTER XXIX.

Milk.

Section 1. LICENSE TO SELL. No person, firm or corporation, or agent or employe thereof, shall sell, offer or expose for sale, dispose of, exchange or deliver, or with the intent so to do, have in his possession, care, custody or control, milk or its fluid derivatives for human food, in the Village of Kenilworth, without first having procured a license so to do.

Section 2. LICENSE FEE. Each licensee shall pay to the Village a fee for such license of $5.00 per annum; when more than one wagon, cart or other vehicle is used by said licensee in his business as a dealer in milk, then said licensee shall pay for each additional wagon, cart or other vehicle an additional license fee of $5.00 per annum.

Section 3. TERM OF LICENSE. No such license shall be issued for a longer period than one year and every such license shall expire on the last day of April next following the date of the issuance thereof.

Section 4. PRODUCTION AND PREPARATION—GENERAL REQUIREMENTS. No milk or fluid derivative thereof shall be sold, offered for sale, exchanged or delivered or kept or stored with the intent so to do within the Village of Kenilworth which shall not have been produced or prepared under the following conditions:

First. All cows which are used for the production of milk for sale, delivery or consumption within the Village of Kenilworth shall be kept clean at all times. All cow stables shall be thoroughly lighted with windows, and ventilated, and at least twice a year shall be thoroughly cleansed as regards the walls, partitions and ceilings by whitewashing with lime wash containing some effective disinfectant and shall otherwise be kept clean in a manner satisfactory to the Commissioner of Health. All manure and everything of a foul or uncleanly nature shall be removed daily.

Second. The drinking water for cows must in all instances be pure and clean and be contained in troughs or other recep-

tacles which are kept clean; and cattle shall not be kept where they may drink from stagnant ponds, sloughs or contaminated streams or other insanitary drinking places.

Third. All milking must be done in a careful and cleanly manner by persons who are clean as to both person and clothes or by mechanical milkers or apparatus operated and maintained in a cleanly manner and condition by persons clean as to both clothes and person. The udders of all cows shall be cleansed before milking. Every precaution shall be taken to prevent dust, dirt, hay seed or any foreign substance from falling into the pails while milking is being done.

Fourth. All bottles, utensils, milkers or other apparatus and devices used or operated in the production, preparation or handling of milk or its fluid derivatives for sale, delivery or consumption within the Village of Kenilworth shall be properly cleansed, rinsed and sterilized before using and shall be so constructed that no milk can accumulate in any part thereof after use and so that they can be cleaned by simple washing. The surface of all such utensils, milkers or other devices and apparatus which comes in contact with such milk must at all times be kept smooth and free from rust.

Fifth. No person who is affected with or is suspected of being affected with any contagious or infectious disease, or who lives with, or is employed with, or has come in contact with any person so affected or suspected of being so affected, or who lives in a place where there has recently been any contagious or infectious disease, shall be allowed to actively engage or assist in and about the business of producing, preparing, handling or delivering milk intended for sale, delivery or consumption within the Village of Kenilworth or intended to be mixed therewith.

Section 5. CONTAINERS TO BE CLOSED. All milk sold, offered for sale, supplied, transported or delivered within the Village of Kenilworth shall be contained in bottles, metal cans or other receptacles of a character satisfactory to the Commissioner of Health, closed tightly with an air-tight cap in a manner satisfactory to the Commissioner.

Section 6. MILK NOT TO BE SOLD FROM OPEN VESSEL. It shall be unlawful for any person, firm or corporation or any person employed thereby to sell or deliver any "dip" or "bulk" milk or to fill any bottle, can or other receptacle

with milk in or upon any wagon or vehicle used in the delivery of milk or in a shop or store or in any place other than a milk house, dairy or other building which has been inspected by the Commissioner of Health or his deputy and approved in accordance with the provisions of the ordinances of the Village and the laws of the State.

Section 7. VESSELS TO BE KEPT CLEAN. All cans, vessels and receptacles used in the hauling of milk or cream, as well as all packages, refrigerators or compartments of stores or other places where milk or cream is kept, stored or hauled, shall be kept and maintained scrupulously neat and clean, and shall be kept free from the presence and vicinity of any article of any kind likely to contaminate or injuriously affect the sweetness, quality or condition of the milk or cream.

Section 8. HOW DELIVERED WHERE CONTAGIOUS DISEASE EXISTS. No milk shall be delivered in bottle or otherwise within any room, house or other apartment where there is any person having a contagious or infectious disease. Receptacles shall be provided for such milk and placed outside such apartment, so that the one delivering the milk can do so without entering the apartment. No bottles or other containers that may be at such place at the time of the discovery of such disease shall be removed until after such bottles or containers have been properly sterilized.

Section 9. ALL MILK TO BE PASTEURIZED EXCEPT WHEN "CERTIFIED." No person, firm or corporation shall sell, exchange or deliver or offer for sale, exchange or delivery in the Village of Kenilworth any milk, except milk certified under the requirements of the Chicago Medical Society Milk Commission, unless the same be pasteurized by heating in the following manner: If heated at a temperature of not less than 140 degrees Fahrenheit, it shall be heated for not less than 20 minutes; if at a temperature of not less than 150 degrees Fahrenheit, it shall be heated for not less than 15 minutes; if at a temperature of not less than 155 degrees Fahrenheit, it shall be heated for not less than 5 minutes. The minimum temperature for such pasteurization shall be 140 degrees Fahrenheit. The periods above described and stated shall be calculated as beginning when the entire quantity of milk in the pasteurizing apparatus first reaches the temperature above named.

Section 10. NO FOREIGN SUBSTANCE TO BE ADDED. It shall be unlawful for any person, firm or corporation to sell, exchange or offer or keep for sale, exchange or use within the Village of Kenilworth any milk or cream which is unclean, impure or unwholesome or to which any water or other deleterious substance has been added, or to sell, exchange or offer for sale or exchange any article of food made therefrom.

Section 11. FAT AND SOLID STANDARDS IN MILK All milk sold or offered for sale or use in the Village of Kenilworth shall contain not less fat than 3¼ per cent. of the total volume of such milk nor less of milk solids than 12 per cent. of such volume and shall have a specific gravity of not less than 1.029 at a temperature of 60 degrees Fahrenheit and shall have a reading on an immersion refractometer on the serum at 20 degrees Fahrenheit of not less than 39.

Section 12. FAT STANDARDS IN CREAM—LABEL. All cream sold or kept or offered for sale or use in the Village of Kenilworth shall contain butter fat therein of not less than 18 per cent. of the volume thereof. Every test of such cream for fat content shall be by a series of not less than six analyses. The average of these tests shall show not less than 18 per cent. fat. Every container of cream shall bear upon the cap or tag thereto belonging a label stating the per cent. of butter fat present.

Section 13. SKIM MILK—STANDARDS—LABEL. No person, firm or corporation shall sell or offer for sale in the Village of Kenilworth any milk from which the cream or any part thereof shall have been taken, except as "skim milk." Skim milk shall be defined as sweet milk from which a part or all of the cream has been removed. No person, firm or corporation shall sell or distribute within the Village of Kenilworth skim milk which contains less than 7 per cent. of milk solids which are not fats. It shall be unlawful to transport, sell or deliver "skim milk" unless the vessel containing such milk shall have conspicuously attached thereto, if a can, a red tag or plate three inches by five inches in size on which shall be engrossed the words "skim milk" in letters not less than ⅝ of an inch high. When such "skim milk" is contained in a bottle, a similar statement shall appear on the cap thereof in letters not less than 3/16 of an inch in height.

Section 14. BUTTERMILK—DEFINITION. Buttermilk is

milk produced by the removal of butter fat from skim milk or cream in the process of churning. Nothing in this chapter contained shall be construed to prohibit the use or sale of what is known as buttermilk, provided the same is produced from pure and unadulterated milk. It shall not be unlawful to make "pure culture buttermilk" by the addition of the usual and proper bacterial culture to skim or whole milk, but such product shall be labeled "pure culture buttermilk made from skim (or whole) milk" as the case may be.

Section 15. CONDENSED MILK—LABEL—STANDARD. No person, firm or corporation shall sell or offer for sale any condensed or evaporated milk in the Village of Kenilworth unless the same be contained in a can, bottle or other package which shall have distinctly labeled or stamped thereon that the content thereof is condensed or evaporated milk. Condensed milk or evaporated milk or milk to be used in the manufacture thereof shall not be construed to be within the terms of this chapter in regard to dairy inspection, but all such milk for use within the Village of Kenilworth shall be put up in packages or cans upon which shall be distinctly labeled or stamped the name of the brand and the name of the manufacturer thereof. All such condensed or evaporated milk shall be manufactured only from pure, fresh and unadulterated milk from which the cream has not been removed, and nothing in this chapter or any section thereof shall be construed to the contrary. Such milk shall contain milk solids in an amount not less than 28 per cent. of the volume thereof. One hundred per cent. of such milk solids shall contain milk fat in an amount not less than 27.5 per cent. thereof. It shall not be unlawful to use cane sugar in the manufacture of such milk.

SECTION 16. COMMISSIONER MAY REVOKE LICENSE. When the Commissioner of Health shall be satisfied upon an inspection of the equipment or of the milk brought into the Village of Kenilworth or offered for sale by any licensee, that such milk is not pasteurized as required hereby and that it has not been produced, prepared or handled under conditions or in the manner required by the regulations of the Department of Public Health of the State of Illinois, he may, by and with the advice and consent of the President of the Village, revoke altogether the license theretofore issued to the licensee, and shall not permit such person, firm or corporation to sell, supply or deliver milk within the Village or to any other person, firm or

corporation selling, supplying or delivering milk within the Village.

Section 17. HEALTH COMMISSIONER TO ENFORCE LAWS AND REGULATIONS. The Health Commissioner shall carry out the provisions of the public health laws, the State sanitary laws and the official instructions and decisions of the Department of Health of the State of Illinois relating to the production and sale of milk and milk products.

Section 18. GENERAL PENALTY. Every person, firm or corporation violating this chapter or any of its provisions shall be deemed guilty of a misdemeanor, and on conviction thereof be punished by a fine of not less than five dollars nor more than two hundred dollars for each and every offense. Each separate delivery of milk not conforming to the terms, conditions or standards of this chapter, and each shipment or transportation thereof to any point within the Village of Kenilworth in an unlawful manner, shall constitute a separate and distinct offense.

CHAPTER XXX.

Ice.

Section 1. SALE OF IMPURE ICE UNLAWFUL. No person shall sell or offer or expose for sale in the Village of Kenilworth any impure ice or any ice which shall contain filth, or any matter, or substance or thing, which, when the ice melts, will render the water impure, or the use of the same unhealthful, and all ice sold, offered or exposed for sale shall be sold by avoirdupois weight, except in cases where it may be otherwise agreed upon between buyer and seller.

Section 2. SCALES TO BE PROVIDED. All sellers of ice at the time of delivery thereof shall be provided with a suitable steelyard, balance or other apparatus for weighing, duly adjusted and sealed by the sealer of weights and measures, if there be one, with which to weigh the quantity of ice sold, if required by the buyer.

Section 3. PENALTY. Any person violating any provision of this chapter shall be subject to a penalty of not less than ten dollars nor more than fifty dollars for each offense.

CHAPTER XXXI.

Amusements.

Section 1. MOVING PICTURE THEATER TO OBTAIN LICENSE. No moving picture theater shall be built or conducted within the Village of Kenilworth without first obtaining a license to conduct such business from the Board of Trustees with the approval of the Board as to the proposed location thereof and the character and equipment of the building proposed for such use. An annual charge of one hundred dollars shall be made for such license.

Section 2. LOCATION—FRONTAGE CONSENTS. Before any license shall be granted to carry on or conduct any moving picture theater or business in said Village the person making application therefor shall first obtain and file with the Village Clerk the written consent of a majority of all the property owners of the block in which such theater or business is proposed to be conducted and a majority of all the property owners on each side of the street or streets upon which the entrance or entrances of such building is located or proposed to be located for a distance of one block each way beyond the block containing the proposed theater. Such consents shall be according to frontages and no permit to build, construct or reconstruct any building to be used for a moving picture theater or business and no license to operate such theater or business shall be granted unless and until such frontage consents shall be first obtained and filed with the clerk, as aforesaid.

Section 3. MOVING PICTURE MACHINE OPERATORS—LICENSE REQUIRED. It shall be unlawful for any person to operate a moving picture machine for any public or private gathering within the Village without first having obtained a license as a moving picture operator or a special permit in the manner hereinafter set forth. Any person desiring a license to operate a moving picture machine or device shall make application to the Board of Trustees and shall at such time and place as said Board of Trustees may designate, pass such examination as to his qualifications as said Board of Trustees may direct. Said examination may be made in whole or in part

in writing and shall be of a practical or elementary character, but sufficiently strict to test the qualifications of the applicant. Every applicant for a license as a moving picture operator shall be twenty-one years of age or over. Special permits to operate such machines may be granted by the Board, from time to time, without examination when the Board is satisfied the person to whom such special permit is granted is properly qualified. A charge of ten dollars shall be made for a license under this section for one year and two dollars for each special permit.

Section 4. SMOKING, MATCHES AND LAMPS IN OPERATING BOOTH PROHIBITED. It shall be unlawful for any moving picture operator or other person or persons at any time to smoke or carry matches into the operating booth while the same is being operated, and it shall be unlawful to use oil or gas lamps or illuminating gas in said booths, but such electric lights as may be necessary for use in operating said machine may be used.

Section 5. IMMORAL PICTURES PROHIBITED. It shall be unlawful for any person to show or exhibit in the Village of Kenilworth any picture or series of pictures which are immoral or obscence, or which portray any riotous, disorderly or other unlawful scene, or which have a tendency to disturb the public peace.

Section 6. FILMS TO BE KEPT IN METAL BOXES. It shall be unlawful for any person, keeping or using any moving picture film within the Village of Kenilworth to store the same in any other manner than by depositing such film in tin cans or metal boxes of galvanized iron which shall be at all times, when not in use, stored in fireproof vaults. Not exceeding five moving picture films shall be kept or stored in any operating room where moving pictures are being produced by means of moving picture machines and devices, and such films shall at all times, except while being changed on the moving picture machine or device, be kept within the aforesaid tin cans or metal boxes of galvanized iron.

Section 7. LICENSE. No person or persons, within the limits of the Village of Kenilworth shall give any show or entertainment for gain without a permit first had and obtained, from the Village Board; *provided,* that for entertainments given by citizens of this Village not engaged in the giv-

ing of such entertainments as a business, nor for personal gain, no permit shall be required. For such permit a charge of five dollars shall be made unless the proceeds are to be wholly for charity in which case there shall be no charge.

Section 8. PENALTY. Whoever violates any of the provisions of this chapter shall, upon conviction thereof, be fined not less than five dollars nor more than two hundred dollars for each and every offense, and in case of any violation of the provisions of section one of this chapter each day during which any moving picture theater shall be operated without a license as therein provided shall constitute a separate offense.

CHAPTER XXXII.

Bathing Beaches.

Section 1. BATHING BEACHES—LICENSE REQUIRED. It shall be unlawful for any person, firm or corporation to carry on, engage in or conduct what is commonly known as a boating, fishing or bathing beach for boating, fishing or bathing in any of the public waters of, or bordering on, the Village of Kenilworth, where a charge is made for the use of such beach, or where bathing suits, boats or fishing tackle are let and rented for hire, without first having obtained a license as hereinafter provided.

Section 2. LICENSES—HOW OBTAINED. Any person, firm or corporation desiring to carry on, engage in, or conduct such boating, fishing or bathing beach, shall make application in writing to the President of the Village of Kenilworth for a license so to do, stating therein the name and residence of the applicant, the place and character of the proposed beach, and the size, number and character of the boats to be used or rented at said place. Such application shall be accompanied by a certificate of the Health Officer of the Village of Kenilworth, approving the location of the proposed beach, stating whether the water at such location is in a sanitary condition and whether the boats to be used by, or rented to, the public at such beach are properly constructed and equipped and suitable for the use of the general public at such beach. If from such certificate it appears that the Health Officer approves the proposed location of said beach, that the water is in a sanitary condition, that the boats to be used by or rented to, the public are properly constructed, and safe for public use at such beach, and if the President of the Village shall be satisfied that the applicant is of good moral character, he shall grant, and cause to be issued to such applicant, a license to establish and conduct such beach at the location set forth in said application. upon payment by said applicant of the license fee hereinafter specified; provided, however, that any person, firm or private corporation desiring hereafter to conduct or carry on a bathing, fishing or boating beach at any place within the Village of Kenilworth where one-half or more of the buildings situated

within two thousand feet from the nearest point in any boundary line of such place are used for residence purposes shall, before a license is issued for the conduct of such beach at such place, present to the President with the application and certificate required, the written consent to the location of such beach of a majority of the resident property owners according to frontage on both sides of all the streets around the block in which such beach is to be conducted and shall also present the written consent to the location of such beach of a majority of the *bona fide* householders living within two thousand feet from the nearest point in any boundary line of such place where it is proposed to carry on and conduct such boating, fishing or bathing beach.

Section 3. LICENSE FEES. Licenses granted under this chapter shall be for a period of one year from the date of issue and all persons, firms or corporations to whom licenses are issued under this chapter, shall pay to the Village Treasurer at the time such license is issued an annual fee of two thousand dollars.

Section 4. LIFE SAVERS REQUIRED. It shall be the duty of every person, firm or corporation to whom is granted a license to establish and conduct a bathing, boating or fishing beach, as herein provided, to have present at such beach at all hours during which the same is open to the public, a person skilled as a swimmer and in the management of boats, to act in the capacity of a life saver, whose duty is shall be to keep a lookout for the safety of the patrons of such beach and go immediately to the rescue of such as may be placed in a position of danger by the capsizing of a boat or otherwise.

Section 5. PENALTY. Any person, firm or corporation who shall establish, conduct, maintain or manage any such fishing, boating or bathing beach in any of the public waters of the Village of Kenilworth, without first having obtained a license therefor, as provided herein, shall be fined not less than ten dollars nor more than two hundred dollars for each offense, and shall be fined a like amount for each and every day such person, firm or corporation shall continue to conduct, maintain or manage any such fishing, boating or bathing beach in any of the public waters of the Village of Kenilworth for which a permit has not been obtained as aforesaid. Any person, firm or corporation to whom a license has been granted to establish and conduct a beach under the provisions of this chapter,

who shall fail to have present at such beach at all times during which the same is open to the public, a skilled person to act as a life-saver, as required by the foregoing section, shall be fined fifty dollars for each day such beach is conducted without having such life-saver present.

Section 6. BATHING IN LAKE MICHIGAN—BATHING SUIT REQUIRED. No person shall bathe or swim in the waters of Lake Michigan adjacent to the Village of Kenilworth unless clad in a suitable bathing suit.

Section 7. UNDRESSING ON BEACH PROHIBITED EXCEPT IN ENCLOSED BUILDING. No person desiring to bathe or swim in the waters of Lake Michigan adjacent to the Village of Kenilworth shall undress in any place in said Village other than in an enclosed building, house or bathing house.

Section 8. LOITERING ON STREET OR PARK CLAD IN BATHING SUIT PROHIBITED. No person shall loiter upon any street or in any park or public place in the Village of Kenilworth while clad in a bathing suit.

Section 9. PERSONS CLAD IN BATHING SUIT FORBIDDEN ON STREET OR PARK UNLESS WEARING OUTER GARMENTS. No person shall be or appear on any street nor in any park or public place in the Village of Kenilworth while wearing a bathing suit unless such person wears also an outer garment reaching from the shoulders to the knees.

Section 10. BATHING IN LAKE MICHIGAN PROHIBITED BY PROCLAMATION OF THE PRESIDENT TEMPORARILY IN CASE OF EPIDEMIC. Whenever by reason of epidemic, plagues or other conditions affecting the public health, the Board of Trustees shall deem it advisable to prohibit swimming or bathing in the waters of Lake Michigan adjacent to the Village of Kenilworth, then the President of the Board is hereby authorized to suspend, temporarily and by proclamation, the use of said waters for swimming or bathing purposes and to enforce the suspension thereof by such measures as may be appropriate.

Section 11. PENALTY. Any person who violates any provision of sections six, seven, eight, nine or ten of this chapter shall be subject to a fine of not less than one dollar and not more than ten dollars for each such violation.

CHAPTER XXXIII.

Vehicles.

Section 1. LICENSE REQUIRED. That it shall be unlawful for any person, firm or corporation, residing in the Village of Kenilworth or engaged in business therein, to use or cause or permit any of his or its agents or employees to use any wagon or motor vehicle in the transportation of persons or property upon the streets or avenues of said Village unless such wagon or motor vehicle be licensed as hereinafter provided; provided, however, that this chapter shall not be construed as applying to street cars or railroad trains running on metallic rails.

Section 2. APPLICATION—HOW MADE. That any such person, firm or corporation desiring a license for any such wagon or vehicle shall file an application with the Village Clerk, upon form provided by him, setting forth the name and address of the applicant, description of the wagon or vehicle for which the license is desired and the place where such wagon or vehicle is to be kept when not in use; also, the number and kind of other wagons or vehicles kept by said applicant at such place and such information as may be prescribed; and upon the payment by the applicant of the license fee hereinafter provided there shall be issued a license which shall be attested by the Village Clerk, authorizing the use of such wagon or vehicle within the Village until the expiration of such license.

Section 3. FEES. That the license fees to be paid annually to the Village of Kenilworth shall be as follows:

One horse wagon or vehicle.....	two dollars.....	$ 2.00
Two horse wagon or vehicle.....	three dollars....	3.00
Three horse wagon or vehicle.....	six dollars.....	6.00
Four horse wagon or vehicle.....	eight dollars....	8.00
Motor bicycles or motor tricycles.....	three dollars....	3.00
Automobiles and motor vehicles of 35 horse power or less used for the transportation of persons.....	five dollars.....	5.00

Automobiles and motor vehicles of more than 35 horse power used for the transportation of persons (exclusive of trucks, coaches, omnibuses and motor driven commercial vehicles)	ten dollars	10.00
Motor driven commercial vehicles used for light delivery purposes carrying one ton or less	ten dollars	10.00
Automobiles, trucks, coaches, omnibuses and other motor vehicles used for commercial purposes (except light motor driven commercial vehicles used for light delivery purposes carrying one ton or less)	thirty dollars	30.00

Section 4. EXPIRATION—PART OF YEAR. All such licenses shall expire on the 31st day of December following the date of issuance and when issued for a period of less than one year the fee to be paid for the unexpired license period shall be the proportionate part of the annual rate fixed by this chapter, but no fee shall be less than one-fourth of the annual rate.

Section 5. USE TO BE MADE OF REVENUES. All revenues derived from such license fee shall be kept as a separate fund and used for paying the cost and expense of the repairing of the streets and alleys of the Village.

Section 6. LIGHTS TO BE DISPLAYED. It shall be unlawful for any owner or driver of any automobile, wagon, truck, dray, cart, carriage, cab, omnibus, bicycle, motorcycle or other wheeled vehicle, to use the streets of the Village of Kenilworth without having displayed until daybreak after the hour of eight P. M. during the period commencing with April first and ending October thirty-first, and until daybreak after six P. M. during the period commencing with November first and ending March thirty-first, one or more lights.

Section 7. WIDTH OF TIRES. No person shall, by himself, his servant or his agent, drive, propel or cause to be driven or propelled upon or along any street in the Village of Kenilworth, any loaded vehicle, which, with its load, weighs 3500 pounds or upwards, unless the felloes and tires upon the wheels of such vehicle shall be three inches or more in width.

Section 8. PENALTY. That any such person, firm or corporation violating any of the provisions of this chapter shall be fined not less than five dollars nor more than one hundred dollars for each and every offense.

Section 9. NOT TO AFFECT LICENSED BUSINESS. That nothing contained in this chapter shall be construed as in any manner repealing any ordinance or parts of ordinances as amended and as now in force in the Village of Kenilworth, relating to any particular business now being licensed by the Village of Kenilworth, wherein wagons or other vehicles are being used upon the streets or avenues of the Village.

CAPTER XXXIV.

Automobiles and Motor Vehicles.

Section 1. MOTOR VEHICLE DEFINED. Whenever the term "Motor Vehicle" is used in this chapter it shall be construed to include automobiles, motor trucks, motor-driven commercial vehicles, motorcycles and all other vehicles propelled otherwise than by muscular power, except traction engines, road rollers, cars of electric and steam railways and motor vehicles running only upon rails or tracks.

Section 2. BELL REQUIRED. Every motor vehicles, while being used upon the streets, alleys, and public places of the Village of Kenilworth, shall be provided with a suitable bell, horn, or other signal device and it shall be unlawful for any person to use any device which will not produce an abrupt sound, sufficiently loud to serve as an adequate warning of danger, and it shall be unlawful for any person operating any motor vehicles to make or cause to be made any unnecessary noise with any such bell, horn or other signal device or to use the same, except as a warning of danger.

Section 3. MUFFLER REQUIRED. No person, firm or corporation shall operate nor shall the owner of any motorcycle or motor vehicle permit to be operated on the streets, alleys and public places of the Village of Kenilworth, any motor vehicle which has not a suitable muffler in a proper and efficient working condition, and it shall further be unlawful for any person to operate, or for an owner of any motor vehicle to permit to be operated any motor vehicle with the muffler cut out or open.

Section 4. ENGINE RUNNING WHILE VEHICLE STANDING PROHIBITED. The engine of any motor vehicle shall not be left running while such vehicle is left standing on any street, alley or public place in the Village of Kenilworth, without an attendant.

Section 5. HEADLIGHTS—AUTOMOBILE LIGHTS—REGULATED. No person shall use or have upon any automobile, carriage or other vehicle, within the Village of Kenilworth, any acetylene, electric or other bright headlight, the

rays from which shall be intensified by any parabolic or condensing lens in front of the light, or any parabolic or condensing reflector, unless such headlight shall be properly shaded so as not to blind or dazzle the eyes of other users of the highways, or make it unsafe or difficult for them to ride, drive or walk thereon.

Section 6. PARKING ON STREETS. No automobile or similar vehicle shall be allowed to park or stand for a longer period than one-half an hour upon any public street, avenue, alley or public place within the corporate limits of the Village of Kenilworth, unless the owner of said automobile or similar vehicle shall have a written permit issued by the Village Clerk of the Village of Kenilworth under the Village Seal, allowing such owner to park or have his automobile or similar vehicle stand for a longer period.

Section 7. NOT TO BE OPERATED BY PERSONS UNDER SIXTEEN YEARS OF AGE. It shall be unlawful for any person who is under sixteen years of age to operate any motor vehicle on any street, alley or public place in this Village, or for any owner of a motor vehicle to permit any person who is under sixteen years of age to operate a motor vehicle on any street, alley or public place of this Village.

Section 8. PENALTY. Any person violating any of the provisions of this chapter shall, on conviction, be fined not less than five dollars nor more than one hundred dollars.

CHAPTER XXXV.

Rules of the Road.

Section 1. VEHICLE OVERTAKING ANOTHER. Any vehicle overtaking and passsing another vehicle upon any street or highway in the Village of Kenilworth shall pass on the left side of the overtaken vehicle.

Section 2. OVERTAKEN VEHICLE TO TURN TO THE RIGHT. When requested so to do, any driver or person having possession, charge or control of any vehicle traveling on any street or public way in the Village shall as soon as practicable turn to the right, so as to allow any overtaking vehicle free passage to the left of the overtaken vehicle.

Section 3. VEHICLES MEETING. In all cases of persons meeting each other in vehicles in any highway or thoroughfare, or upon or near any bridge, each person so meeting shall in all cases turn off and go to the right side. Provided, however, that this section shall not apply to any case where it is impracticable from the nature of the ground for the driver of any such vehicle to turn to the right.

Section 4. VEHICLE TURNING CORNER. Before turning the corner of any street or public way, the driver or person in possession, charge or control of any vehicle being driven or propelled around such corner shall give a signal by raising his hand or whip so that such signal can be plainly seen from behind such vehicle and from the side toward which the turn is to be made, and such signal shall be given in a manner which shall plainly indicate the direction in which such vehicle is about to turn. In turning corners to the right, vehicles shall turn to the right of the center of the intersection of the two streets. In turning corners to the left, vehicles shall also pass to the right of the center of the intersection of the two streets.

Section 5. NO VEHICLE TO STOP IN STREET EXCEPT NEAR CURB. Except in an emergency or for the purpose of allowing another vehicle or pedestrian or pedestrians to cross, no vehicle shall be permitted to stop in any street or public way in the Village, except near the curb thereof, and when

it is desired to stop any vehicle being driven along the street, before such vehicle is stopped, the driver or person in possession, charge or control thereof shall give a signal in such a manner as to be plainly seen from the rear, either by raising his hand or whip or by giving some audible signal which shall plainly indicate an intention and desire to stop the vehicle of which he is in charge.

Section 6. VEHICLE NOT TO START OR TURN FROM CURB UNTIL SIGNAL IS GIVEN. No vehicle standing at or drawn alongside of the curb on any street or public way shall be permitted to start or turn from such curb until the driver or person in possession, charge or control of such vehicle shall have given a signal which can be plainly seen or heard from the rear of such vehicle and from the side toward which he is about to turn, which signal may be made either by raising the hand or whip or by giving an audible signal in such a manner as to plainly indicate his intention and desire to start or turn from such curb and the direction in which such turn is to be made.

Section 7. STOPPING AT CURBS. No vehicle shall stop with its left side to the curb.

Section 8. DRIVING, BACKING, ETC., ON SIDEWALKS. It shall not be lawful for any public cartman, or for any person driving or having charge of any truck, wagon, automobile, or other vehicle, to drive and back any such public truck, or any other truck, wagon, automobile or other vehicle, on the sidewalk of any of the streets of said Village or to stop any such truck, wagon, automobile or any other vehicle on any of the cross walks or intersections of streets so as to obstruct or hinder the travel along such cross walks or intersections of streets, or to place any such trucks, wagons, automobiles or other vehicles crosswise of any streets of said Village, except to load thereon or unload therefrom, but in no case shall it be lawful for any person to permit such truck, wagon, automobile or other vehicle to remain so crosswise of any street for a longer period than may be actually necessary for such purposes.

Section 9. SIGNAL FOR AUTOMOBILE. Every person driving an automobile or motor vehicle shall, at the request or signal, by putting up the hand, from a person driving or riding a frightened horse or horses, cause the automobile to

immediately stop, and to remain stationary as long as may be necessary to allow such horse or horses to pass.

Section 10. VEHICLES PASSING. All vehicles shall keep as close to the right-hand curb as safety and prudence shall permit, except when overtaking and passing another vehicle.

Section 11. DUTY OF POLICE TO ENFORCE RULES OF THE ROAD. It shall be the duty of members of the Department of Police to enforce the provisions of this chapter and to see that the rules for the use of the streets and highways herein laid down are strictly enforced, except in case of an emergency. In such case these rules may be waived and the discretion of the policeman or policemen on duty at the particular point where such emergency shall arise shall be exercised so as to prevent accident, a blockade, or any impeding of traffic.

Section 12. PENALTY. Any person who shall violate any of the provisions of this chapter or who shall neglect, fail or refuse to comply with any of the provisions of this chapter, or with any order or direction of any policeman on duty upon or along any of the streets or public ways of the Village, when such order is given for the purpose of carrying into effect any of the provisions of this chapter, shall be fined, upon conviction thereof, not less than five dollars nor more than one hundred dollars for each offense.

CHAPTER XXXVI.

Bicycles.

Section 1. LAMP. No person or persons shall ride, run, use or propel any bicycle, or any other vehicle propelled by the person riding the same, along or upon any of the public streets, alleys or public places within said Village of Kenilworth, in the night time or after dusk, without having securely affixed to the front end of such bicycle, or other vehicle, a bright light, which shall be kept burning while such bicycle or other vehicle is so used.

Section 2. SPEED—TO KEEP TO RIGHT OF ROAD. No person riding any bicycle or vehicle propelled by the rider shall travel at a speed to exceed ten miles per hour along or upon any public street, alley, public place or park in the Village of Kenilworth, and all such vehicles shall be kept to the right of the road.

Section 3. NOT TO BE RIDDEN ON SIDEWALK. No person shall ride, run, use or propel any bicycle upon any public sidewalk in the corporate limits of the Village of Kenilworth, at any time.

Section 4. PENALTY. Any person who violates any section or provision of this chapter shall be fined not less than three dollars, nor more than ten dollars, for each offense.

CHAPTER XXXVII.

Fire Arms and Fire Works.

Section 1. UNLAWFUL TO USE FIRE ARMS. It shall be unlawful for any person to discharge, within the limits of the Village of Kenilworth, any gun, rifle, pistol or other fire arms or to use, discharge or operate, within the limits of said Village, any air gun or sling shot.

Section 2. FIREWORKS—UNLAWFUL. The discharge, firing or use of all fire crackers, rockets, torpedoes, Roman candles, or other fireworks or substances designed and intended for pyrotechnic display, and of all pistols, canes, cannons, or other appliances, using blank cartridges or caps containing explosive material, is hereby prohibited; provided, that the President or Board of Trustees may permit the public display of fireworks by properly qualified individuals under the direct supervision of experts in the handling of fireworks; provided, also, that such display or displays shall be of such a character and so located, discharged or fired as shall not be hazardous to surrounding property or endanger any person or persons.

Section 3. FIREWORKS—STORAGE AND SALE PROHIBITED. The storage or sale either at wholesale or retail of any of the articles, appliances or substances described and referred to in section 2 of this chapter, in the Village of Kenilworth, is hereby prohibited.

Section 4. FIRE CRACKERS ON OWN PREMISES. The foregoing sections shall not be construed as prohibiting the firing, upon the premises of the person using same, or with his consent, on the public holiday known as Independence Day, of fire crackers not more than two inches in length and one quarter inch in diameter which do not contain explosive material more powerful than black powder nor torpedoes not more than three quarters inch in diameter and other similar small fireworks which do not contain explosive material more powerful than black powder; provided that nothing contained in this section shall make it lawful to use, fire or discharge any of the fireworks in this section expressly mentioned outside of the limits of the premises of the person using or authorizing same

nor upon any public sidewalk, street, alley or public ground within the Village, nor at any time except upon Independence Day.

Section 5. GENERAL PENALTY. Any person or persons, who shall violate or fail, neglect or refuse to comply with any of the foregoing provisions of this chapter shall, on conviction, be fined in a sum not less than five dollars nor more than fifty dollars for each and every offense.

CHAPTER XXXVIII.

Concealed Weapons.

Section 1. UNLAWFUL TO CARRY. It shall be unlawful for any person within the limits of the Village of Kenilworth, to carry or wear under his clothes or concealed about his person, any pistol, revolver, slung shot, knuckles of lead, brass or other metal, or bowie knife, dirk, razor, dagger or any other dangerous or deadly weapon.

Section 2. CONFISCATION OF WEAPONS. Any such weapon or weapons duly adjudged by any Police Magistrate or Justice of the Peace, to have been worn or carried by any person, in violation of Section 1, shall be forfeited or confiscated to the said Village of Kenilworth, and shall be so adjudged as a part of the judgment and penalty for each violation, by the magistrate before whom the trial of any person for a violation of this chapter shall be had..

Section 3. ARREST FOR CARRYING. Any policeman of the Village of Kenilworth may, within the limits of said Village, without a warrant, arrest any person or persons whom he may find in the act of carrying or wearing concealed about his or their persons, any weapon specified in the first section of this chapter, until a summons or warrant can be procured on complaint made (under oath or affirmation) for the trial of such person or persons.

Section 4. PENALTY. Any person or persons violating any of the provisions of this chapter, shall pay a fine of not less than twenty-five dollars, nor more than two hundred dollars.

Section 5. TO WHOM NOT APPLICABLE. The prohibitions of this chapter shall not apply to the officers or members of the police of said Village when on duty, nor to any officer of any court whose duty it may be to serve warrants or to make arretss nor to persons whose business or occupations may seem to require the carrying of concealed weapons for their protection, and who shall have obtained a license so to do, as hereinafter provided.

Section 6. LICENSE TO CARRY. The President of the Board of Trustees may grant to so many and such persons as he may think proper, licenses to carry concealed weapons, and may revoke any and all such licenses at his pleasure.

Section 7. FEE FOR LICENSE. Applications for such licenses shall be made to the Village Clerk, and when granted, the applicant therefor shall pay to the said Clerk, for the use of the Village, the sum of two dollars per year or part thereof.

Section 8. WHAT LICENSE SHALL STATE. Every such license shall state the name, age and occupation and residence of the person to whom it is granted.

Section 9. CLERK TO NOTIFY CHIEF OF POLICE. At the time of the issuance of every such license to carry concealed weapons, the Village Clerk shall notify the Chief of Police, giving name, age, occupation and residence of such licensee and the date of expiration of such license.

CHAPTER XXXIX.

Dogs.

Section 1. DOG DEFINED. For the purpose of this chapter the word "dog" shall be construed to mean both male and female, and of every kind, age and description of the canine species whatever.

Section 2. FIERCE DOG. No owner or possessor of a fierce or dangerous dog shall permit the same to run or to be at large.

Section 3. PROCLAMATION BY PRESIDENT—MUZZLES REQUIRED. It shall be lawful for the President of the Village of Kenilworth to publish, once, in some newspaper of general circulation in said Village, if there be such a newspaper, and if not, then by posting in at least three public places in said Village, a proclamation forbidding the running at large of any dog within the corporate limits of said Village, at any period of the year, whenever, in his opinion, the inhabitants of the Village are in danger from such cause, unless such dog be securely muzzled; and it shall thereupon be unlawful to permit any dog to run or to be at large without being securely muzzled.

Section 4. LICENSE TAG REQUIRED—FEE. Every owner of, or person who harbors or keeps, a dog within the limits of the Village of Kenilworth shall report to the Village Clerk annually, within thirty days after the first day of June in each year, his or her name and address, and shall give the name, breed, color and sex of each and every dog owned or kept by such person, and shall pay to such officer the sum of two dollars for each male dog, and the sum of three dollars for each female dog, and cause such dog or dogs to be registered for license in the office of the Village Clerk, who shall furnish the owner or keeper of same with a license tag.

Section 5. COLLAR WITH TAG ATTACHED. Every dog shall be provided by its owner, or keeper, with a leather or chain collar securely fastened around its neck to which a license tag shall be securely attached and no dog shall be permitted to remain within the limits of the Village of Kenilworth, unless the owner or keeper thereof shall have caused

such dog to be registered and licensed and provided with such collar and tag.

Section 6. REGISTER TO BE KEPT. The Village Clerk shall keep a complete register, in a book to be kept for that purpose, of all licensed dogs, describing same by name, breed, color and sex, and shall also enter the name and address of the owner or keeper, as given, and the number of Village license tag. He shall provide each and every year such number of metal tags as may be necessary (the shape to be changed each year), having stamped thereon the year for which the tax is paid, the letters "K. D. T." and also the number of the tag, and it shall be the duty of said Village Clerk to deliver one of such metal tags to the person having paid the tax upon such dog, the number of such tag to correspond with the number of the registry of the dog.

Section 7. POLICE TO KILL DOGS AT LARGE IN VIOLATION OF ORDINANCE. It shall be the duty of any police officer of this Village to kill and bury any and all dogs found running at large, on any of the streets, alleys or other public places in this Village upon which a license has not been paid as aforesaid, and also all unmuzzled dogs found running at large on any of the streets, alleys or other public places during the period covered by any proclamation authorized in Section 3 of this chapter to be issued by the President of the Village, and all fierce or vicious dogs found running at large at any time.

Section 8. PENALTY. Any person or persons who shall violate, fail, neglect or refuse to comply with any of the foregoing provisions of this chapter shall, on conviction, be fined in a sum not less than five dollars nor more than one hundred dollars for each and every offense.

CHAPTER XL.

Inflammable Liquids.

Section 1. STORAGE IN BUILDINGS—CONTAINERS. No gasoline, benzine, naphtha or other inflammable liquids with a flash point below 27 degrees Fahr. (-3 degrees Centigrade), closed cup tester, shall be stored or kept within any building within the Village of Kenilworth, except in a fire proof building, in a larger quantity than five gallons at one time, and no such liquid, in any quantity, shall be kept or stored in such building unless contained in sealed containers or safety cans. No gasoline or other liquid covered by this section shall be kept or stored at any time in any school house, church, place of amusement or other public building within the Village.

Section 2. UNDERGROUND TANKS. Except as provided in Section 1 of this chapter the storage of all inflammable liquids of the description specified in said Section 1, shall be outside of buildings in underground tanks set on a firm foundation and encased in concrete. Tanks may be located underneath a building if the top of the tank is placed at least two feet below the lowest floor and all pipes shall connect with the top of such tank and shall pitch toward the tank.

Section 3. INSTALLING TANKS—PERMIT. Any person desiring to install a tank or other stationary receptacle for the holding or storage of gasoline, kerosene or other inflammable liquid, either for sale or for private use, shall first obtain a permit so to do from the Board of Trustees of the Village of Kenilworth. Before issuing such permit, the Board of Trustees shall cause to be inspected the location or site where such tank is proposed to be installed and shall be furnished with detailed information in writing, concerning the material of which such tank or receptacle is to be made, the proposed manner of installing and the provisions to be made for connections, valves, pumps and other appliances for filling the tank and withdrawing liquids therefrom, and such other information as they may require. If the Board of Trustees are satisfied, after receiving such information, and causing such inspection to be made, that the installation of such tank or receptacle is not

dangerous to the public health or safety of the citizens of the Village and that proper precautions are taken against fire and explosions they shall issue a permit therefor, which shall be in writing and a proper record made thereof by the Village Clerk. No such tank or receptacle shall be installed or used within the Village of Kenilworth until a permit, as aforesaid, has been granted and no tank or receptacle for which a permit has been issued, as aforesaid, shall be covered over, filled, or used until the installation, material and workmanship have been finally inspected and approved as the Board of Trustees shall direct. The Board of Trustees may order the discontinuance of the use of any such tank or receptacle now in use or that may be installed hereafter in the Village in case they shall find the use of the same for the storage of inflammable liquids to be dangerous to public health or safety or that such tank is not properly protected against risk of fire or explosion. A charge of two dollars shall be made for such permit.

Section 4. KINDLING FIRES. The use of inflammable liquid in kindling or starting a fire in any stove, furnace or fire-place within any building in the Village is hereby prohibited.

Section 5. PENALTY. Whoever violates any clause, section or provision of this chapter shall be fined not less than two dollars, and not more than fifty dollars.

CHAPTER XLI.

Peddlers.

Section 1. PENALTY FOR CONDUCTING THE BUSINESS OF PEDDLER WITHOUT A LICENSE. No person shall engage in or conduct the business of a peddler in the Village of Kenilworth without first obtaining a license so to do, under a penalty of not less than five dollars nor more than one hundred dollars for each offense, and every day that any person conducts the business of a peddler in violation of any of the provisions of this chapter shall be deemed a separate offense.

Section 2. FEES OF ITINERANT VENDERS OF MERCHANDISE. The fee to be paid by an applicant to conduct the business of a peddler shall be as follows: One dollar a day; five dollars a week; ten dollars a month, and at the rate of ten dollars a month for any period greater than one month.

Section 3. PEDDLERS' LICENSES OF FARMERS, ETC., MARKETING THEIR OWN PRODUCTS, HOW OBTAINED. Upon the presentation of proofs to the Village Clerk by any farmer, fruit or vine grower or gardener of his intention to sell only the produce of his own farm, orchard, vineyard or garden, the Village Clerk shall issue to such farmer, fruit or vine grower, or gardener, a license to peddle within the Village of Kenilworth, but such license shall be free, and the said Clerk shall not collect or demand for himself or for the Village any fee therefor.

Section 4. HAWKING AND NOISE PROHIBITED. It shall be unlawful for any peddler, hawker or other person seeking to sell or buy anything of any kind or character or, to render any service, for pay or otherwise, to seek customers or attract attention to his business or wares by means of any outcry, horn, whistle, rattle, bell, gong, or other noise or noise making device within the limits of the Village of Kenilworth.

Section 5. GENERAL PENALTY. Whoever shall violate any of the provisions of this chapter shall be subject to a penalty of not less than five dollars nor more than one hundred dollars for each offense.

CHAPTER XLII.

Garbage, Ashes and Refuse.

Section 1. DEFINITION OF TERMS. In the construction and application of this chapter the word "garbage" shall be taken to include any and all rejected waste, household food, offal, swill and carrion. The word "ashes" shall be taken to include all ashes of wood, coal, coke and the residue resulting from the combustion of any material or substance, and soot, cinders, slag and charcoal. The words "miscellaneous waste" shall be taken to include all refuse except excrement, and dead animals and parts thereof, and also except such articles and substances as are herein included under "garbage," "ashes" and "manure." The word "manure" shall be taken to include the excrement of all domestic animals and fowls, and all hay, straw, shavings, grass or leaves which have been used for stable bedding.

Section 2. VESSELS TO BE PROVIDED. It shall be the duty of every owner or occupant of any house, place of business, or premises where garbage, ashes or refuse is accumulated in the Village of Kenilworth, forthwith to provide or cause to be provided and at all times thereafter to keep and maintain clean and in good repair separate vessels for garbage and for ashes which shall be of the material, construction and capacity, as hereinafter designated and which vessels shall be kept at some accessible place outside of the building but near the rear door thereof.

Section 3. GARBAGE VESSEL. The vessel for garbage shall be water tight and made of metal with a close fitting cover, and shall have a capacity of not less than six and not more than fifteen gallons, and shall be provided with suitable handles. No ashes, or miscellaneous waste shall be deposited in this vessel but it shall be used exclusively for garbage.

Section 4. VESSEL FOR ASHES. The vessel for ashes shall be made of metal with a close fitting cover, and shall have a capacity of not less than twenty and not more than forty gallons, and shall be kept in condition to prevent leakage, and be provided with siutable handles at the sides. No garbage,

waste or other material except ashes shall be deposited in the vessel provided for ashes and the ashes shall not be permitted to become wet.

Section 5. BROKEN GLASS, TIN CANS AND OTHER WASTE. No broken glass, tin cans, metal waste or other miscellaneous waste of any description shall, under any circumstances, be mixed with either ashes or garbage nor deposited in the vessel or vessels provided for garbage or the vessel or vessels provided for ashes, and in every case of violation of this section the person whose duty it is to remove such garbage or ashes shall refuse to accept same until such improper material has been removed therefrom. No person engaged to remove ashes shall accept same for removal if allowed to become wet.

Section 6. VESSELS FOR MISCELLANEOUS WASTE. Suitable vessels or containers shall be provided and kept either within or outside of buildings in which to deposit tin cans, broken glass, china ware or crockery, metal waste and other articles of waste not coming within the definition of garbage, ashes or manure and if same are to be removed by the Village garbage contractor under the provisions of this chapter, the container shall be placed in some accessible place outside of building when removal is desired and the contractor's attention directed to it.

Section 7. WHO MAY USE VESSELS. It shall be unlawful for any person other than contractors employed or licensed by the Village of Kenilworth, or the owner, occupant, tenant, lessee or person in possession of the premises for which a vessel for garbage and vessels for ashes and micellaneous waste or any of them have been provided, or their agents, employees or servants, to deposit any article in any such vessel or vessels, or to remove, displace, injure, deface, destroy, uncover or in any manner disturb such vessel or any portion of its contents.

Section 8. GARBAGE WAGONS—HOW CONSTRUCTED AND OPERATED. Every cart, wagon, truck or other vehicle used for the purpose of collecting or removing any garbage, ashes, manure or miscellaneous waste in this Village shall be constructed and used subject to the regulations and orders of the President and Board of Trustees of the Village of Kenilworth. No such cart or other vehicle shall, without necessity therefor, stand or remain before or near any building, place of

business or other premises where any person may be, nor shall any such cart or vehicle occupy an unreasonable length of time in loading or unloading or in passing through any street, or through any inhabited place or ground, nor shall any such cart or vehicle or the driver thereof, or anything thereto pertaining be (or by any person having the right to control the same be allowed to be) in a condition unnecessarily filthy or offensive, but shall be regularly cleansed and kept free from offensive odors; and when not used, any and all such carts, vehicles and implements in connection therewith shall be stored and kept in some place where no needless offense shall be given to any of the inhabitants of said Village. All such carts, wagons, trucks and vehicles, and all boxes, tubs, and receptacles thereon in which any substance in this chapter referred to may be or is carried, shall be water tight, and shall be constructed of metal or with metallic lining with proper metal covers, and in a strong, tight and effective manner, so that no part of the contents thereof shall fall, leak or spill therefrom, and shall be adequately and tightly covered so as to prevent the same from being offensive.

Section 9. DEPOSIT OF GARBAGE, ETC.—WHEN UNLAWFUL. It shall be unlawful for any person owning, occupying or controlling any premises within the Village of Kenilworth to cause or allow to be deposited, stored or placed upon any street, alley, highway, lot or land or upon the surface of any lot or land within the Village of Kenilworth whether such place be enclosed or otherwise, any garbage, refuse or manure, provided, however, that it shall not be unlawful to fertilize land within said Village with manure or other fertilizer, or to store grass or leaves in a proper manner to cure for use thereon as fertilize.

Section 10. LICENSE FEES—PENALTY. No person except the Village contractor employed for that purpose shall engage in the business of removing garbage, ashes or miscellaneous waste within the Village of Kenilworth without first having obtained a license so to do. Such license may be granted upon application to the Village Board and upon producing evidence to the satisfaction of the board that he has proper equipment therefor. Each person applying for and obtaining such license shall pay a license fee of $5.00 per year for each wagon or vehicle used in said business.

Section 11. ASHES AND WASTE REMOVED BY VILLAGE. Hereafter the Village of Kenilworth shall remove from all the premises within the said Village all ashes and miscellaneous waste placed by the owners or occupants of said premises in vessels or receptacles outside of the building or buildings located thereon, and at or near the rear door thereof, at such intervals of time as shall be designated by the Village Board through its contract for the removal of such ashes and miscellaneous waste, except as hereinafter provided.

Section 12. CHARGE FOR REMOVAL. In case any ashes or miscellaneous waste shall be removed by the Village of Kenilworth, the occupants of all residences and of all office or business buildings from which the same shall be removed, shall pay to the Village for such services yearly the following amounts:

For residences of six rooms or less, $12.00 per annum.

For residences of more than six rooms, $12 per annum with an additional charge of $2.00 per annum for each room in excess of six rooms.

For all business places and public schools, $24 per annum.

The amounts above specified shall be payable annually in advance to the Village Treasurer and shall become due and payable each year on September 1st.

Section 13. OCCUPANTS MAY ELECT TO REMOVE ASHES AND WASTE. If any occupant or owner on or before the first day of September of any year shall elect to remove ashes or miscellaneous waste from the premises so occupied or owned by him in a manner satisfactory to the Village of Kenilworth, then such ashes and miscellaneous waste as shall accumulate upon the premises of such occupant or owner shall not be removed by the Village of Kenilworth and such occupant or owner thereupon shall be relieved from the obligation of paying the charge herein above mentioned, but shall be subject to all penalties provided by the ordinances of the Village of Kenilworth for failure to remove such ashes and miscellaneous waste. Notice of any such election, describing the premises so occupied or owned, shall be filed with the Village Clerk of the Village of Kenilworth on or before the first day of September in order to relieve such person from the charge for the services aforesaid for the year commencing on said first day of September.

Section 14. PAYMENT TO BE MADE UNLESS NOTICE FILED. Any occupant or owner who does not on or before September 1st of any year, elect to remove all ashes and miscellaneous waste from the premises so occupied or owned by him, shall be conclusively presumed to have elected that the Village of Kenilworth shall remove the same, in accordance with the provisions of this chapter, and shall pay the charge named herein to the Village at the time and in the manner herein specified.

Section 15. PENALTY. Any person who shall violate or refuse to comply with any of the provisions or sections of this chapter shall, upon conviction thereof, be fined not less than three dollars and not to exceed fifty dollars for each offense.

CHAPTER XLIII.

Arrests and Recovery of Fines.

Section 1. POLICE TO ARREST WITH OR WITHOUT PROCESS. The several members of the Police Department of the Village of Kenilworth are hereby severally authorized to arrest, with or without process, or on view, any person or persons who may break the peace, or violate any of the ordinances of said Village or any criminal law of the State of Illinois, when such arrest is permitted by law, and to take such person or persons forthwith before the Police Magistrate of said Village, or any Justice of the Peace of Cook County, in the State of Illinois; or in case such arrest is made in the night, or on Sunday, to detain such person or persons in custody over night, or over Sunday, in some place designated by the Village President until such person or persons can be brought before said Police Magistrate or justice for trial.

Section 2. ARRESTS WITHOUT PROCESS. Whenever any person or persons shall be arrested without process, or on view, as provided in the preceding section of this chapter, and shall be taken, as aforesaid, before the Police Magistrate or any Justice of the Peace, such magistrate or justice shall note upon his docket the cause of such arrest, as stated by the officer making such arrest, and proceed to hear and determine the case in the same manner as if the defendant had been arrested by a warrant; or may continue the case upon the application of either the defendant or the Village Attorney, for lawful cause, as provided in other actions before Justices of the Peace, in which case, if the defendant shall give bond payable to said Village, and conditioned for the appearance of the defendant before the magistrate or justice hearing the cause, on the day and at the place named therein, and his abiding the order of the said magistrate or justice, and not departing the court without leave, with security and in a sum to be approved by such magistrate or justice, he shall be discharged from the custody of the officer making the arrest; otherwise he shall, in the discretion of the magistrate or justice, be committed to the house of correction, or remain in custody of the officer making the arrest, until the time set for the trial of the case.

Section 3. RECOVERY OF FINES—TO BE PAID TO VILLAGE—MAGISTRATE'S REPORT. All fines, forfeitures, penalties and costs imposed against any person or persons by any of the ordinances of said Village for the breach thereof, may be recovered before the Police Magistrate of said Village or any Justice of the Peace of said Cook County, by action of debt in the name of "The Village of Kenilworth," and judgments may be rendered thereon and collected by execution or other process, as other judgments of Justices of the Peace are rendered and collected; and such fines, forfeitures and penalties, when collected, shall be paid over to the Treasurer of said Village, for the use of said Village, within five days from the time of the receipt thereof by such Police Magistrate or Justice of the Peace and the Police Magistrate or Justice of the Peace in said Village shall make a report in writing to the Board of Trustees at the last regular meeting in each fiscal year, showing a record of all fines, forfeitures and penalties by him collected, and no such Police Magistrate or Justice of the Peace in said Village shall remit any fine, forfeiture or penalty imposed upon any person or persons wherein the Village is a party plaintiff, or in any wise interested, without the written consent of the Board of Trustees of said Village.

Section 4. COMMITMENT. In all cases where judgment shall be rendered by the Police Magistrate or any Justice of the Peace, or competent court as aforesaid in favor of said Village against any person or persons convicted of a violation of any of the ordinances of said Village, after trial by jury or a formal waiver thereof as provided by law, such person or persons so convicted shall be committed to the house of correction or other place provided or authorized by said Village for the incarceration of offenders in such cases there to remain until such fine, penalty and costs shall be fully paid or otherwise legally discharged. In all cases where any person is committed as aforesaid he or she shall be required to work at such labor as his or her strength will permit at any place within the Village of Kenilworth not to exceed ten hours each working day; and for such work the person so employed or worked shall be allowed exclusive of his or her board the sum of two dollars for each day's work on account of such fine and costs until such fine and costs be fully satisfied; provided no such imprisonment shall continue longer than six months for any one offense, and in such case, whether by satisfaction as afore-

said or by the expiration of six months from the commencement of such imprisonment the keeper of said house of correction or other place provided or authorized by said Village Board for the incarceration of offenders in such cases as aforesaid shall endorse on the writ of commitment "Satisfied in full by imprisonment" and discharge such person or persons from his custody. Commitment of any person as provided in this chapter shall be by process under the hand of the court which shall have made the order for such commitment.

Section 5. OFFICERS TO ATTEND AS WITNESSES. All officers making arrests shall attend as witnesses, before the court where the trial may be had, and shall procure all necessary evidence in their power, and furnish a list of witnesses to the court, and no Village officer shall be entitled to any witness fee to be taxed against the Village, in any action for a violation of any ordinance when the Village is plaintiff.

Section 6. CONDUCT OF TRIALS—APPEAL TO CRIMINAL COURT. The manner of conducting trials, granting continuances and changes of venue, subpoening witnesses, summoning and impaneling juries and taking appeals shall be the same as in civil cases before Justices of the Peace, except that the appeal shall be taken to the Criminal Court of Cook County.

CHAPTER XLIV.

Nuisances.

Section 1. NUISANCE—WHAT CONSTITUTES. It is hereby declared to be a nuisance:

First: To so negligently conduct any business or use any premises in such a manner as to create an offensive smell or taint the air, and render it unwholesome or disagreeable to others.

Second: To cause, or suffer, the carcass of any animal, or any offal, garbage, filth or noisome substances to be collected, deposited, or to remain in any place, to the prejudice of others.

Third: To throw or deposit any offal or other offensive matter, or the carcass of any animal in any water course, pond or spring, or bury the same on the premises of another without consent of the owner of the premises.

Fourth: To deposit any night soil, dead animals or other filthy offensive or noisome substance upon any lot, street, highway, park or other place.

Fifth: For any person to permit or suffer any offal, filth, refuse, animal or vegetable matter, which is liable to become putrid or offensive, or injurious to health, to remain for a longer period than six hours at any one time on any premises used or occupied by him.

Sixth: To corrupt or render unwholesome or impure the water of any spring, stream, or pond, to the injury or prejudice of others, or to drain on or cause water or sewage to flow over or on the land or premises of another, or on or over public grounds, other than through a regular water course or proper sewer.

Seventh: To obstruct or encroach upon public highways, private ways, streets, alleys or commons.

Eighth: To keep or suffer to be kept in a foul, offensive, nauseous or filthy condition any railroad car, building, yard, grounds or premises.

Ninth: To keep or use any railroad car, yard, pen, place

or premsies in or upon which cattle or swine shall be confined or kept so as to be offensive to those residing in the vicinity, or any annoyance to others.

Tenth: To throw or permit to be thrown or deposited upon any street, sidewalk, highway, public park or other public grounds any glass, tin, iron or other refuse or rubbish.

Eleventh: To allow manure or other fertilizer to remain piled or stored at any place within the Village or outside of the Village but sufficiently near to any residence within the Village to permit offensive odors to reach such residence without treating such manure or fertilizer by chemicals or disinfectants at sufficient intervals to prevent the giving off of offensive odors and the breeding of flies.

Twelfth: To sweep or scrape any dust or rubbish from any building or private property upon any public sidewalk or street of the Village.

Thirteenth: For the owner or person in charge or possession of any grocery, cellar, stable, pigsty, chicken yard, privy, sewer, or premises to allow same to be in a filthy, nauseous, offenisve or unwholesome condition, and the owner or person in charge thereof shall immediately clean, abate or remove the same upon being notified so to do by any officer of the Village of Kenilworth and the failure so to do shall make such person guilty of maintaining a nuisance.

Fourteenth: To cause, allow or permit the emission of dense smoke within the Village from the smokestack of any locomotive, steam roller, steam derrick, steam pile driver or other similar machine or contrivance, or from the smokestack or chimney of any building or premises shall be and is hereby declared to be a nuisance and may be summarily abated by the Village Marshal or by anyone whom the Village Board may authorize for such purpose. Such abatement may be in addition to the fine hereinafter provided. Any person, firm or corporation owning, operating or in charge or control of any locomotive, steam roller, steam derrick, steam pile driver, or other similar machine or contrivance, or of any building or premises, who shall cause, allow or permit the emission of dense smoke, within the Village, from the smokestack or chimney of any such locomotive, steam roller, steam derrick, steam pile driver or other similar machine or contrivance, or from the smokestack or chimney of any building or premises so owned, con-

trolled or in charge of him, her or them, shall be guilty of a violation of this clause.

Section 2. NUISANCES—ABATEMENT OF. Whenever any nuisance shall be found on any premises contrary to any provision of this chapter, the President of the Village is hereby authorized, in his discretion, to cause the same to be summarily abated in such manner as he may direct.

Section 3. PENALTY. Whoever violates any clause, section or provision of this chapter by maintaining, or causing to be maintained, anything hereinbefore declared to be a nuisance, shall be fined, upon conviction thereof, not less than five dollars and not exceeding two hundred dollars for each offense.

CHAPTER XLV.

Police Regulations.

Section 1. DESTROYING OR DEFACING VILLAGE PROPERTY. No person shall negligently or wilfully injure, destroy or deface any bridge, crossing, sidewalk, lamp, lamp post, or other property of said Village.

Section 2. DANGEROUS ANIMALS NOT TO RUN AT LARGE. No person shall, knowingly, suffer, or permit any dangerous, unruly, fierce or mischievous animal, being the owner or keeper thereof, to run or be at large, to the danger, annoyance or damage of any other person.

Section 3. FIRES TO BE GUARDED. No person shall burn or set fire to any combustible matter, within fifty feet of any shed, barn or building, without posting at least one person, over the age of fifteen years, to guard the same, until such fire is entirely extinguished.

Section 4. POSTING BILLS AND NOTICES. No person shall stick, paste, put up, or place, upon or against any building, tenement, fence, wall, lamp post, tree or other place, any hand-bill, show-bill, picture, or representation unless by the consent of the owner or occupant of such building, tenement, fence, wall, lamp post, tree or place.

Section 5. THROWING GLASS ON STREETS OR PUBLIC PLACES. No person shall throw, cast, lay or place upon any street, sidewalk or other public place within the Village any glass bottle, window glass or any other articles made of or containing glass, nor any tacks, nails or other sharp substances; and in case of the accidental breaking of any glass upon any such street, sidewalk or public place, the owner or person in charge of such glass, or the person responsible for such breakage, shall at once remove the same from such street, sidewalk or public place. Any person violating any of the provisions of this section shall be fined not less than two dollars nor more than twenty dollars for each offense.

Section 6. ANIMALS—DISTURBING NOISES BY—PENALTY. No person shall, in said Village, keep or harbor

any dog or other animal shut up or tied up in any yard, enclosure, stable, house or other place, which, by barking, howling, or by other noises, shall disturb the peace and quiet of any family, individual or neighborhood, and every person violating this section shall, upon conviction thereof, be fined not less than two nor more than twenty-five dollars for every offense.

Section 7. STEALING, DETACHING OR MUTILATING METAL PLATES, ETC. Every person who shall, without the consent of the owner or licensee take, carry away, detach or mutilate any metal plate, tag, badge or license worn by or attached to any person, animal or vehicle or attached to any article, substance or thing whatsoever as a mark of identification or otherwise in compliance with the requirements of any ordinance of the Village of Kenilworth, shall be punished by a fine of not less than twenty-five dollars nor more than two hundred dollars.

Section 8. LOAFING AT DEPOTS, ETC.—PENALTY. No person shall obstruct or encumber any depot, railroad platform, street corner, or other public place in the Village of Kenilworth, by loafing or lounging in or about the same, after being directed to move on by any police officer, and the person so offending shall be subject to a penalty of not less than five nor more than twenty-five dollars for each offense.

Section 9. SPITTING ON SIDEWALK, PUBLIC CONVEYANCES, ETC. No person shall spit upon any public sidewalk, or upon the floor of any public conveyance, or upon the floor of any hall, assembly room or public building, under a penalty of not less than one dollar nor more than ten dollars for each offense.

Section 10. DISTRIBUTION OF HANDBILLS. No person or persons shall distribute, cast, throw or place in, upon or along any of the streets, alleys or public places in the Village any samples, handbills, pamphlets, circulars, books or advertisements for the purpose or with the intent of advertising or making known in a general or promiscuous manner, any business, occupation, profession, medical treatment, mecidine, or anything whatsoever, under a penalty of not less than five dollars nor more than fifteen dollars for each offense.

Section 11. ASSAULT—PENALTY. If any person shall commit an assault or an assault and battery upon another per-

son, or shall be guilty of an affray within the limits of said Village, every person so offending shall, on conviction, be fined for each offense in a sum not less than two dollars nor more than two hundred dollars.

Section 12. DISORDERLY CONDUCT—PENALTY. All persons who shall make, aid, countenance or assist in making any improper noise, riot, disturbance, breach of the peace or diversion tending to a breach of the peace within the limits of the Village, and all persons who shall collect in bodies or crowds for unlawful purposes, or for any purpose, to the annoyance or disturbance of other persons, shall be deemed guilty of disorderly conduct, and upon conviction thereof shall be fined not less than two dollars nor more than two hundred dollars for each offense.

Section 13. ACCIDENTS. Any person who, while riding, driving or propelling a bicycle, motor cycle, automobile, carriage, wagon or other vehicle, shall run against, upon or over any person, upon the public highway, or who shall cause any injury or damage to such person or his property, and who shall not stop at once to ascertain the extent of such injury and to render such assistance as may be needed, or who shall refuse to give his true name and residence, or shall give a false name or residence when his name or address is requested by the person so injured, or by any police officer, or by any other person in behalf of the injured person, shall be fined not less than five dollars nor more than one hundred dollars for each offense.

Section 14. CRUELTY TO ANIMALS. Whoever shall be guilty of cruelty to any animal in any of the ways mentioned in this section shall be fined not less than three dollars nor more than one hundred dollars for each offense, viz.:

1. By overloading, overdriving, overworking, cruelly beating, torturing, tormenting, mutilating or cruelly killing any animal or causing or knowingly allowing the same to be done.

2. By cruelly working any old, maimed, infirm, sick or disabled animal, or causing or knowingly allowing the same to be done.

3. By unnecessarily failing to provide any animal in his charge or custody, as owner or otherwise, with proper food, drink, shelter and air.

4. By abandoning any old, maimed, infirm, sick or disabled animal.

5. By driving, or causing to be driven or kept, any animal in an unnecessarily cruel manner.

6. By carrying, or causing to be carried, keeping or causing to be kept, any animal bound or tied by its legs, or bound down by the neck, or so that it cannot freely stand in an upright position while being transported, or by carrying, or causing to be carried, keeping or causing to be kept, any animal in any crate or cage so constructed as to permit such animal to push its head between the slats, wires or other openings of such crate or cage unless the spaces between such slats or wires are also sufficient to permit such animal to freely withdraw its head therefrom.

Section 15. FAST DRIVING PROHIBITED. No person shall ride or drive any horse or horses or any other animal in any street, avenue, or other place within the limits of the Village of Kenilworth, at a greater speed than at the rate of ten miles an hour. It is hereby made the duty of every police officer to stop any person who may be riding or driving contrary to this section.

Section 16. VAGABONDS, VAGRANTS, ETC. All persons who are idle and dissolute, or who go about begging; all persons who use any shell game, sleight of hand or juggling trick or other unlawful game to cheat, defraud or unlawfully obtain money or other valuable things; pilferers; confidence men; common drunkards; common night walkers; persons lewd, wanton or lascivious in speech or behavior; common brawlers; persons who are habitually neglectful of their employment or their calling, and do not lawfully provide for themselves or for the support of their families; all persons lodging in or found in the night time in outhouses, sheds, barns or unoccupied buildings or lodging in the open air, and not giving a good account of themselves; and all persons who are known to be thieves, burglars or pickpockets, either by their own confession or otherwise, or by having been convicted of larceny, burglary, or other crime against the laws of the state, punishable by imprisonment in the state prison or in a house of correction of any city, and having no lawful means of support, who are habitually found prowling around any railroad depot, place of public amusement, store, shop or crowded thorough-

fare, or at any public gathering or assembly, private dwelling houses or outhouses, shall be deemed to be and they are hereby declared to be vagabonds and shall be fined, upon conviction thereof, not less than ten nor more than two hundred dollars for each offense.

Section 17. GENERAL PENALTY. Whoever shall violate any of the provisions of this chapter where a specific fine has not been provided for, shall, upon conviction thereof, be fined not less than five dollars, nor more than two hundred dollars for each and every offense.

CHAPTER XLVI.

Effect of Ordinance.

Section 1. REPEAL—RIGHTS RESERVED. All public or general ordinances of the Village of Kenilworth not included in this ordinance are hereby repealed; provided that the repeal of such public or general ordinance shall not be construed to impair or affect any right existing or any proceeding pending and shall not be construed as a release or waiver of any agreement, contract, right, debt, obligation or liability accrued or incurred prior to the taking effect of this ordinance or of any claim arising under said repealed ordinances or any part thereof nor as a release or waiver of any claim arising or right accruing before this ordinance takes effect or of any action, suit or proceeding instituted and pending.

Section 2. SPECIAL ORDINANCES AND RESOLUTIONS. This ordinance shall not be construed as repealing, modifying or in any manner affecting any private or special ordinance heretofore existing nor as affecting any contractual relations arising therefrom nor as repealing, modifying or affecting any resolution or order heretofore passed by the President and Board of Trustees of said Village except to the extent such resolution or order may be inconsistent with this ordinance.

Section 3. WHEN TO TAKE EFFECT. This ordinance shall take effect and be in force from and after its passage and publication as provided by law.

Section 4. THIS ORDINANCE TO BE PRINTED AND PUBLISHED IN BOOK FORM. This ordinance, together with special ordinances deemed to be of general public interest, shall be and the same are hereby authorized and ordered to be printed and published in book form.

Adopted by the President and Board of Trustees of the Village of Kenilworth on the 8th day of December, A. D. 1919.

FRANK C. NASON,
Village Clerk.

Approved this 8th day of December, A. D. 1919.

FRANK R. YOUNG,
President.

State of Illinois, }
County of Cook. } ss.

I, Frank C. Nason, Village Clerk of the Village of Kenilworth, do hereby certify that the above and foregoing is a true copy of an ordinance entitled "An Ordinance for Revising and Codifying the General Ordinances of the Village of Kenilworth," passed by the President and Board of Trustees of said Village on the 8th day of December, A. D. 1919, and approved by the President of said Village on the 8th day of December, A. D. 1919, and printed and published in book form by authority of the President and Board of Trustees of said Village, pursuant to said ordinance.

I do further certify that I am the keeper of the records, entries, ordinances, resolutions, papers and books of said Village of Kenilworth and that the original, of which the foregoing is a true copy, is entrusted to my care for safe keeping, and is now on file in my office.

Witness my hand and the corporate seal of said Village of Kenilworth this 8th day of December, A. D. 1919.

FRANK C. NASON,
Village Clerk.

(Seal.)

Appendix

to the

KENILWORTH CODE OF 1919.

CONTAINING CERTAIN SPECIAL FRANCHISE ORDINANCES OF GENERAL PUBLIC INTEREST.

An ordinance concerning the right of the Sanitary District of Chicago to construct and maintain certain intercepting sewers, adjuncts and additions to its North Shore Channel within the Village of Kenilworth.

Be it ordained by the President and Board of Trustees of the Village of Kenilworth:

Section 1. That the right of the Sanitary District of Chicago to construct such adjuncts, intercepting sewers and additions to its North Shore Channel as the Board of Trustees of The Sanitary District of Chicago shall deem necessary to dispose of and convey to its said North Shore Channel the domestic sewage of the villages lying along the North Shore of Lake Michigan between said North Shore Channel and the north limits of The Sanitary District of Chicago and to construct and maintain such intercepting sewers, adjuncts and additions to said North Shore Channel within the corporate limits of the Village of Kenilworth and for such purpose to enter upon, use and occupy the streets, alleys and public places or such portions thereof within and without the corporate limits of said Village as The Sanitary District of Chicago may deem necessary to construct and maintain, change, modify, extend, reconstruct, repair and operate said intercepting sewers, adjuncts and additions subject to the provisions and limitations of an Act entitled "An Act to create Sanitary Districts and to remove obstructions in the Des Plaines and Illinois Rivers," approved May 29, 1889, and in force July 1, 1889, and all

amendments thereto, is hereby recognized by the Village of Kenilworth, and such right of The Sanitary District of Chicago is hereby confirmed.

Section 2. The Village of Kenilworth hereby gives and grants to The Sanitary District of Chicago the right, permission and authority to enter upon, use and occupy such portion of Sheridan Road from the south boundary line of said Village of Kenilworth to the north boundary line of said Village, and such portion of Winnetka Avenue within the corporate limits of the Village of Kenilworth as The Sanitary District of Chicago may deem necessary in order to construct, maintain, change, extend, reconstruct, repair and modify such intercepting sewers, adjuncts and additions to its North Shore Channel. The location, size and manner of construction of said intercepting sewers, adjuncts and additions shall be in accordance with such plans and specifications as may be adopted by The Sanitary District of Chicago.

Section 3. The said intercepting sewers, adjuncts and additions to the North Shore Channel of The Sanitary District of Chicago shall be constructed and maintained by said The Sanitary District of Chicago at its own cost and expense.

Section 4. The said Village of Kenilworth hereby agrees that it will, in the construction of any sewerage improvements, additions or extensions to be hereafter constructed and maintained by said Village, at its own expense, provide for two separate systems of sewers, one for domestic sewage only, which shall connect with the intercepting sewers, adjuncts and additions of The Sanitary District of Chicago, and the other for storm, surface and ground water, which shall not at any time connect or be connected with said intercepting sewers, adjuncts and additions as aforesaid, and the said Village hereby agrees, at its own expense, to provide for two separate systems of sewers as aforesaid for the disposition of all or any part of its sewage when requested to do so by The Sanitary District of Chicago.

Section 5. The said Village of Kenilworth does hereby direct and shall by ordinance or resolution require all persons, partnerships or corporations, who shall at the time of the construction of said intercepting sewers, adjuncts and additions, own, operate or maintain any conduits, wires, poles, pipes, gas mains, cables, street railway tracks and equipment or other structures

within that portion of the streets, alleys and public places to be excavated in the construction, repair, extension, or modification of such intercepting sewers, adjuncts and additions, at his, its or their own expense to make such changes in the location of such conduits, wires, poles, pipes, gas mains and cables, street railway tracks and equipment or other structures as may be rendered necessary by the construction of said intercepting sewers, adjuncts and additions to said North Shore Channel.

The Sanitary District of Chicago shall have the right, and the right is hereby given and granted to it, to take such steps in the name of the Village of Kenilworth or otherwise as it may deem necessary for the enforcement of any ordinance, order or resolution of the Village of Kenilworth necessary to be enforced to accomplish the purposes herein mentioned at the expense of said The Sanitary District of Chicago; and the said The Sanitary District of Chicago shall indemnify and save harmless the said Village of Kenilworth from any and all damages or claims that are in the nature of a legal liability that may be sustained or made by reason of the passage or enforcing of such ordinance, order or resolution.

Section 6. Whenever or wherever said The Sanitary District of Chicago shall in the construction of its said intercepting sewers, adjuncts and additions to its North Shore Channel intersect or cut, or cause to be intersected or cut, any sewerage pipes, or other pipes or conduits through which sewage or drainage may flow, said The Sanitary District of Chicago shall restore said pipes and conduits to their former condition of usefulness, except as specified in Section Seven (7) of this ordinance, in a manner to be approved by the Chief Engineer of The Sanitary District of Chicago.

Section 7. It is understood that the thirty-six (36) inch brick sewer near Oxford Avenue in the Village of Kenilworth, now discharging into Lake Michigan, shall be intercepted by the main intercepting sewer to be constructed by The Sanitary District of Chicago on Sheridan Road, and that there shall be placed in said thirty-six (36)inch sewer a storm overflow into Lake Michigan, which overflow shall be discontinued and closed up by said Village of Kenilworth whenever said Village of Kenilworth shall construct the separate systems of sewers specified in Section Four (4) of this ordinance, and thereupon that portion of said thirty-six (36) inch sewer lying between

Sheridan Road and Lake Michigan shall be permanently closed and abandoned for the discharge of domestic sewage.

It is further understood that the drainage culvert in Sheridan Road near Kenilworth Avenue, also known as the "Kenilworth Ditch" in the Village of Kenilworth, shall be cut into and the roof of the same removed, and the main intercepting sewer to be constructed by The Sanitary District of Chicago shall be built through and underneath the same, and then said drainage culvert shall be remodeled so that the flow of water therein shall pass over the roof of said main intercepting sewer. A twelve (12) inch drain shall, however, be placed in the upstream side of said main intercepting sewer and inside said culvert to receive the dry weather flow in said culvert, but said drain may be closed by said The Sanitary District of Chicago whenever the Chief Engineer of said The Sanitary District of Chicago may direct.

Section 8. The Sanitary District of Chicago shall, at its own expense, make such changes in the location of the water mains and water pipes of the said Village of Kenilworth, together with the police and fire alarm, electrical wires and other property and utilities of the said Village of Kenilworth as may be rendered necessary by the construction of the said intercepting sewers, adjuncts and additions; and such changes shall be made at the places and in the manner designated by the Chief Engineer of The Sanitary District of Chicago; provided, however, that such water mains and water pipes, police and fire alarm, electrical wires and other property and utilities of the said Village of Kenilworth disturbed by The Sanitary District of Chicago in the said construction or maintenance, extension, modification, reconstruction or repair shall be so restored or placed that they and each of them will perform a service equal to that which they and each of them did perform before they were thus disturbed by The Sanitary District of Chicago.

Section 9. The said intercepting sewers, adjuncts and additions of The Sanitary District of Chicago to the said North Shore Channel to be constructed as in this ordinance provided shall be constructed, maintained and operated solely by The Sanitary District of Chicago; and the said Village of Kenilworth shall not be held responsible in any manner for the location or manner of construction, maintenance or operation of the same; and said The Sanitary District of Chicago shall in-

demnify and hold harmless the Village of Kenilworth from any and all claims for damages to real and personal property and for personal injuries or death suffered therefrom by reason of the construction, maintenance, extension, repair or modification of said intercepting sewers, adjuncts, and additions within the corporate limits of said Village of Kenilworth.

Section 10. The Sanitary District of Chicago shall restore to their former condition and usefulness the streets, alleys and public places and the pavements, walks, cross-walks and other public property within the corporate limits of the said Village of Kenilworth as soon as practicable. All surplus excavation and other spoil shall be removed by said The Sanitary District of Chicago within a reasonable time and dumped without the corporate limits of said Village of Kenilworth or at such point for which a permit for such dumping may have been obtained within the corporate limits of said Village of Kenilworth as may be authorized by the Superintendent of Public Works of said Village of Kenilworth. The public use of the public property within the said Village of Kenilworth above specified shall not be unnecessarily interrupted or interfered with; and so far as is practicable said The Sanitary District of Chicago shall do all work of excavation in sections not exceeding one-half (½) mile in length so that no more than one-half (½) mile of the existing pavement shall be disturbed at any one time.

Insofar as is practicable, said The Sanitary District of Chicago shall construct and maintain temporary bridges for both street and foot traffic until the pavements, walks, and cross-walks removed or disturbed by reason of said work of excavation shall be restored to their former condition of usefulness.

When the work under this ordinance shall have been begun said work shall continue without unnecessary interruption until the entire work herein specified shall have been completed.

Section 11. The Sanitary District of Chicago may, when it deems it advisable, extend the intercepting sewers, adjuncts and additions herein specified to the north limits of said The Sanitary District of Chicago so as to care for the domestic sewage of other towns, villages and other municipalities lying within and without its territorial limits.

In the event that said The Sanitary District of Chicago shall, by ordinance, establish a route for the extension of the intercepting sewers, adjuncts and additions herein specified to such

north limits, or when requested by The Sanitary District of Chicago, then said Village of Kenilworth agrees to construct at its own expense a separate system of sewers to provide for the disposal of all storm, surface and ground waters and to entirely separate the domestic sewage of said Village of Kenilworth from all storm, surface and ground water drainage, which separate system of sewers for storm, surface and ground water drainage shall not be connected with the intercepting sewers, adjuncts and additions to be constructed by said The Sanitary District of Chicago within the territorial limits of said Village of Kenilworth. Said separate system of sewers shall be fully completed and ready for operation at or before the time said extension of said intercepting sewers, adjuncts and additions has been completed by said The Sanitary District of Chicago to the north limits of said The Sanitary District of Chicago.

Section 12. The said Village of Kenilworth hereby agrees to prohibit by an ordinance containing penalties for the violation thereof the construction, operation or maintenance by any person, firm or corporation of any sewer, drain or pipe discharging domestic sewage or industrial waste into the waters of Lake Michigan, after the intercepting sewer drain or outlet to be constructed by The Sanitary District of Chicago, to be constructed under this ordinance has been constructed and placed in operation.

Section 13. The Village of Kenilworth shall have the right to connect any new system of sewers hereafter installed by it for the disposal and care of domestic sewage only, with the intercepting sewers, adjuncts or additions aforesaid to be constructed by The Sanitary District of Chicago in a manner to be approved by the Chief Engineer of The Sanitary District of Chicago; provided, however, that any such system of sewers shall be constructed in the manner provided by Section Four (4) hereof; and the Village of Kenilworth agrees that before passing any future ordinance for the installation, construction, extension, reconstruction, modification or change of any description of any systems of sewers to care for the domestic sewage within the limits of said Village of Kenilworth that the plans and specifications providing for the construction thereof and the rules and regulations providing for the connection therewith and the maintenance thereof shall first be submitted to the Chief Engineer of The Sanitary District of Chicago

for his approval for the purpose of furnishing to said The Sanitary District of Chicago evidence of a full compliance with the provisions of this ordinance.

Section 14. In consideration of the passage of this ordinance and of the benefit conferred thereby on the Village of Kenilworth, said Village of Kenilworth shall give, grant and issue without fees or cost therefor to The Sanitary District of Chicago or to any contractor to whom the work or any part thereof specified in this ordinance shall be awarded, all permits or licenses required for doing said work.

Section 15. That all ordinances, or parts thereof, in conflict with this ordinance be, and the same are hereby expressly repealed.

Section 16. This ordinance shall be in force and effect from and after its passage and approval and the acceptance of the same by The Sanitary District of Chicago within ninety (90) days from the date of the passage hereof, which acceptance shall be evidenced by a certified copy of the order, resolution or ordinance of the Board of Trustees of The Sanitary District of Chicago accepting the same, filed with the Clerk of the Village of Kenilworth.

HENRY TAYLOR, JR.,
President of the Village of Kenilworth.

Passed: November 3, 1913.

Approved: November 3, 1913.

Attest:

BENJAMIN P. HINMAN, JR.,
Village Clerk.

An ordinance granting to Chicago Telephone Company certain rights in the Village of Kenilworth, Cook County, Illinois.

Be it ordained by the President and Board of Trustees of the Village of Kenilworth, Cook County, Illinois:

Section 1. That Chicago Telephone Company, its successors, lessees and assigns are hereby granted the right, subject to the terms and conditions of this ordinance, to construct, erect, renew, maintain and operate, in, upon, along, across, over and under the streets, alleys and public ways of the Village of Kenilworth lines of poles, wires, cables, conduits, vaults and laterals, and to use the same for supplying the inhabitants of Kenilworth and the public means of communication by telephone or other improved electrical device.

Section 2. The rights and privileges herein granted shall continue for a period of twenty (20) years and no longer, from the date of the passage of this ordinance, and its acceptance by Chicago Telephone Company.

Section 3. The location of the lines of poles, with all equipment thereto attached, as well as all conduits, vaults and laterals now in place in said Village and the height above the public thoroughfares thereof of the existing wires and cables are hereby approved, and the height above such public thoroughfares of any additional wires and cables hereafter erected by said Company in said Village shall conform thereto. No poles, conduits, vaults or laterals shall hereafter be installed, nor shall any change in the location thereof be made, except upon written permission from the Chairman of the Committee on Public Works of said Village or such other person as may be designated from time to time by the Village Board for that purpose. All poles erected hereunder shall be thoroughly first class poles of symmetrical and uniform shape, smoothly shaved and shall be painted and kept painted an uniform color. All poles heretofore erected in the Village of Kenilworth under and by authority contained in any other ordinance shall also be kept painted an uniform color.

Section 4. The said Company shall not cut, mutilate, trim or mar any tree or shrub standing in or extending over any alley, street, sidewalk or public ground in said Village, unless notice in writing first be given to the owner of the abutting property,

and the Chairman of the Committee on Public Works of said Village or other person appointed by the Board of Trustees for that purpose, be personally present and consent and direct the same to be done, and only under the superintendence of and in the manner directed by said Chairman, or other person appointed as aforesaid for that purpose.

Section 5. Whenever in view of the necessity of building moving and the Board of Trustees shall so require, after twenty-four hours written notice, said Company shall move its poles and cut its wires and cables after the owner or mover of the building to be moved shall have deposited with the Company an amount not to exceed the estimated actual cost of caring for, splicing and replacing said poles, wires and cables. Such cost shall be paid out of said deposit and any amount unexpended from any sum so deposited shall be returned to the person making the deposit.

Section 6. Said Company after doing any excavating shall leave the surface of the ground in a neat graded condition and shall replace all sod removed. All sidewalks, parkways or pavement disturbed by said Company shall be restored by it to as good condition as before such sidewalk, parkway or pavement was opened or disturbed by it. All poles, wires, conduits, vaults and laterals of said Company within said Village shall be so placed and maintained and all work of said Company shall be so performed as not to interfere with ordinary travel on the highways of said Village, or with any water, sewer or other pipes or conduits which said Village may now or may hereafter lay, and in case of bringing to grade or change of grade or change of width of any street or alley, said Company shall change its structures so as to conform thereto.

The tops of all vaults constructed under this ordinance shall present an even surface with the street pavement at the point where laid, and shall be lowered or raised by said Company as required by the Board of Trustees of said Village whenever the grade of the street or alley in which said vault is located may be at any time hereafter lowered or raised.

Section 7. Said Company shall keep all structures constructed and maintained by it in said Village in a proper and safe condition at all times, and shall maintain such barriers and danger signals during the construction, repair or renewal of all work performed under the provisions of this ordinance

as will reasonably avoid damage and injury to life, limb and property. Said Company shall at its own expense defend all suits that may be brought against said Village on account of and in connection with the rights hereunder granted or that may be brought against said Village under or by virtue of this ordinance, or by reason of anything done by said Company hereunder and shall save and keep harmless said Village from any and all damages, judgments, costs and expenses of every kind that may arise or grow out of said work and that may arise in any manner whatsoever under or by virtue of this ordinance or any of the provisions thereof, provided that notice in writing shall be given to said Company of the occurrence of any accident or the institution of any suit for which said Company may be liable under the provisions of this section. The Village may, if it so desires, assist in defending any suit, under direction of the Company or its Attorneys, that may be brought against it, which, under the provisions hereof said Company is to defend, but the Telephone Company shall not be required to reimburse the Village for expense incurred by the Village in case it shall elect to so assist.

Section 8. Said Company, so long as it exercises or enjoys the rights hereunder, shall furnish to the Village of Kenilworth, free of charge with local exchange service, for City business, eight telephones to be installed in such places within said Village as the Board of Trustees thereof, from time to time, shall by resolution, direct, provided that said Company's usual form of contract for each telephone shall be previously signed for the Village by the President thereof, having endorsed thereon the terms specified. Said Company, without charge, and when requested, shall change the location of any of said telephones, provided that not more than one such change of location in any one year of any telephone furnished hereunder shall be made by said Company without expense to the Village. If the furnishing of the service hereunder is adjudged invalid, illegal or void by the State Public Utility Commission or any other body, board, commission or court of competent jurisdiction, then said Chicago Telephone Company shall, in lieu of said service and as a substitute therefor, pay to said Village, annually, the sum of money equivalent to the lawful rates for the service which would have been furnished hereunder.

Section 9. In case said Company shall fail or neglect to com-

ply with any or all of its obligations as herein expressed, said Village reserves the right to repeal this ordinance or rescind the contract or forfeit the rights hereby created or sought to be created, provided that no such forfeiture of such rights shall exist or be claimed because of such failure or neglect until due notice of such failure or neglect so claimed shall be given to said Company and a reasonable time afforded it to correct the things complained of and by such correction to duly comply with the provisions of this ordinance, or to prove that such compliance has already existed.

Section 10. Whenever the word "Company" or the words "Chicago Telephone Company" are used in this ordinance they shall be construed "Chicago Telephone Company, its successors, lessees or assigns" and this ordinance shall be binding upon and inure to the benefit of said Company, its successors, lessees or assigns.

Section 11. This ordinance shall be in force from and after its passage provided Chicago Telephone Company shall within thirty days after its passage and approval by the President of said Village, file with the Village Clerk thereof its written and unconditional acceptance of all the provisions of this ordinance as evidenced by an instrument in writing, attested under the corporate seal of said Company and executed by its proper officers thereunto lawfully authorized.

Passed this 12th day of August, 1918. FRANK C. NASON, Village Clerk.

Approved this 12th day of August, 1918. W. W. WHEELOCK, Village President.

CHICAGO TELEPHONE COMPANY.

Chicago, August 13, 1918.

To the President and Board of Trustees, Village of Kenilworth,
Mr. Frank C. Nason, Village Clerk, Kenilworth, Illinois.

Gentlemen:

Chicago Telephone Company hereby presents this its written and unconditional acceptance of an ordinance tendered to it by passage by the Board of Trustees of the Village of Kenilworth on the 12th day of August, 1918, and approved by the President thereof on the same date, granting to Chicago Telephone Company certain rights in the Village of Kenilworth,

Cook County, Illinois, and requests that this acceptance be filed in the office of the Village Clerk as provided for in said ordinance.

Yours truly,
CHICAGO TELEPHONE COMPANY,
By B. E. SUNNY,
President.

Attest:
F. L. CURTIS,
Assistant Secretary.

Chicago, North Shore & Milwaukee Railroad Contract for Benefit of Park District.

Be it ordained by the President and Board of Trustees of the Village of Kenilworth:

Section 1. That the President, the Clerk and the Trustees of the Village of Kenilworth be and they hereby are authorized, empowered and instructed to execute an agreement by and between the said Trustees of the Village of Kenilworth and The Chicago, North Shore & Milwaukee Railroad, and that the Clerk attach to said agreement the seal of the Village of Kenilworth, which said agreement is in words and figures as follows:

THIS AGREEMENT made and entered into this 20th day of August, A. D. 1917, by and between the Trustees of the Village of Kenilworth for the use and benefit of the Kenilworth Park District, party of the first part, and Chicago, North Shore & Milwaukee Railroad, a railroad corporation organized and existing under and by virtue of the Laws of the State of Illinois, party of the second part, WITNESSETH:

THAT WHEREAS on the twenty-third day of September, 1916, the Kenilworth Park District entered into a contract with Joseph Alden Sears, of Kenilworth, Cook County, Illinois, and The Northern Trust Company, a corporation of Chicago, as Trustee under the will of Joseph Sears, deceased, by the terms of which said Kenilworth Park District agreed to purchase and the said parties last named agreed to sell and convey the following described premises, to-wit:

> That part of Block One (1) in Kenilworth, a Subdivision of parts of Sections Twenty-two (22) and Twenty-seven (27) and part of Section Twenty-eight (28), all in Township Forty-two (42) North, Range Thirteen (13) East of the Third Principal Meridian, bounded by lines described as follows:
>
> Beginning at a point in the northeasterly line of said Block One (1), which is three hundred and twenty (320) feet northwesterly from its intersection with the southeasterly line of Block Three (3), produced and extended southwesterly; running thence southwesterly parallel

with the northwesterly line of said Block One (1) one hundred thirty-six and 83/100 (136.83) feet, more or less, to the northeasterly line of the right of way of the Chicago, North Shore & Milwaukee Railroad; thence northwesterly along the northeasterly line of said right of way one hundred thirteen and 15/100 (113.15) feet, more or less, to the southeasterly line of the public highway; thence northeasterly along the southeasterly line of said public highway one hundred six and 4/10 (106.4) feet, more or less, to the northeasterly line of said Block One (1); thence southeasterly along the northeasterly line of said Block One (1) seventy-three and 54/100 (73.54) feet, more or less, to the place of beginning,

situated in the County of Cook and State of Illinois; and

WHEREAS on the 30th day of September, 1916, the said party of the second part herein filed its petition in the Circuit Court of Cook County, Illinois, for the condemnation of said premises, or a part thereof, which said suit is still pending and undetermined in said Circuit Court; and

WHEREAS an understanding and agreement has been reached between the said party of the first part herein and the said party of the second part herein, for the adjustment of the conflicting claims to said tract of land hereinabove described, and on the ninth day of July, 1917, the Board of Trustees of the Village of Kenilworth approved said settlement and it is desired to embody the same in a written agreement.

NOW THEREFORE, in consideration of the sum of One Dollar ($1.00) by the said party of the first part to the said party of the second part in hand paid, the receipt whereof is hereby acknowledged, it is mutually agreed between the parties hereto as follows:

First: The Chicago, North Shore & Milwaukee Railroad, party of the second part herein, shall purchase of and from the said Joseph Alden Sears and The Northern Trust Company, as Trustee under the will of Joseph Sears, deceased, all that part of above described property lying southwesterly from a line described as follows:

Beginning at a point in the southeasterly line of the road through said block (opened by the Highway Commissioners of the Town of New Trier) said point being forty (40) feet north-

easterly from the intersection of the northeasterly right of way line of the Chicago, North Shore & Milwaukee Railroad, and said southeasterly line of highway as measured along said southeasterly line of highway; thence running southeasterly in a straight line one hundred three and 50/100 (103.50) feet to a point in the southeasterly line of said described property, said point being thirty-one and 64/100 (31.64) feet northeasterly from the northeasterly right of way line of the Chicago, North Shore and Milwaukee Railroad, measured along said southeasterly line of said described property, which said strip of land contains three thousand seven hundred and fifty-seven and 45/100 (3757.45) square feet, and the said Chicago, North Shore & Milwaukee Railroad shall, upon the delivery of a deed of conveyance therefor, pay to the said Joseph Alden Sears and The Northern Trust Company, as Trustee under the will of Joseph Sears, the sum of one thousand and twenty dollars and twenty-seven cents ($1020.27).

Second: The Village of Kenilworth shall purchase, for the use and benefit of the Kenilworth Park Board, of and from the said Joseph Alden Sears and The Northern Trust Company, as Trustee under the will of Joseph Sears, deceased, the remainder of said lot, piece or parcel of land hereinabove described. containing seven thousand two hundred ninety-three and 95/100 (7293.95) square feet, and upon the execution and delivery of due and proper deeds of conveyance therefor, shall pay to the said Joseph Alden Sears and The Northern Trust Company, as Trustee under the will of Joseph Sears, deceased, the sum of nineteen hundred seventy-nine dollars and seventy-three cents ($1979.73).

Third: Upon the execution of this agreement and the delivery of said deeds, the said Chicago, North Shore & Milwaukee Railroad shall dismiss said condemnation proceedings at its own costs.

Fourth: The Chicago, North Shore & Milwaukee Railroad shall have the right to replace the girder rails with T rails upon all or any portion of its right of way or tracks within the Village of Kenilworth.

Fifth: Said Chicago, North Shore & Milwaukee Railroad shall, and it does hereby, agree to pave with vitrified brick laid in concrete, the space between its rails and for one (1) foot on either side of the outer rails on that portion of its right of

way in Kenilworth that lies between the southerly end of the southerly sidewalk leading to and from the station of the Chicago & Northwestern Railway Company, to the northerly end of the northerly driveway approach to the station of the Chicago & Northwestern Railway Company, and also to pave with vitrified brick laid in concrete, between its said rails and for one (1) foot at either side of the outside rails at the intersection of said railroad's tracks and Melrose Avenue, and shall also put in a macadam pavement the remainder of the way between said brick pavement at Melrose Avenue and said brick pavement at the north driveway approach to the Chicago & Northwestern Railway station.

And the said Chicago, North Shore & Milwaukee Railroad does hereby agree that it shall and will at all times keep and maintain all of the said pavement in good repair and in first-class condition.

Sixth: Upon the execution hereof, and also in addition hereto, a stipulation dismissing said condemnation proceedings, and upon the delivery of due and proper deeds of conveyance to the said Kenilworth Park District and to the said Chicago, North Shore & Milwaukee Railroad of the respective parcels of land herein provided to be conveyed, then the said Village of Kenilworth shall issue a permit to the said Chicago, North Shore & Milwaukee Railroad to change the girder rails and its said tracks within said Village to T rails, in accordance with this agreement, and shall also issue a permit to said railroad to lay said pavement in accordance with this agreement.

Seventh: It is further agreed and understood that until the said railroad shall desire to use said strip, the said Kenilworth Park Board shall have the right to use the same for park purposes, and to plant shrubbery and flowers thereon. At any time when the railroad desires to use said strip, as herein provided, it shall notify the said Kenilworth Park Board of such desire and the said Kenilworth Park Board shall have sixty (60) days in which to remove any and all of the shrubbery on any portion of said strip.

Eighth: It is further understood and agreed that this agreement shall not, except as to the provisions herein set forth, in any way impair, infringe or affect any ordinance or ordinances of the Village of Kenilworth which are in effect at the date of the execution hereof.

IN WITNESS WHEREOF the parties hereto have caused these presents to be executed by their respective officers thereunto duly authorized and the corporate seals of the said parties to be hereto affixed, the day and year first above written.

VILLAGE OF KENILWORTH,
By W. W. WHEELOCK,
President.

Attest:
FRANK C. NASON,
Clerk.

FRANK R. YOUNG,
EDMOND H. STEVENS,
J. K. FARLEY, JR.,
OWEN T. REEVES, JR.,
S. S. HOLDEN,
} As Trustees of the Village of Kenilworth.

CHICAGO, NORTH SHORE & MILWAUKEE RAILROAD,
By BRITTON I. BUDD,
President.

Attest:
WILLIAM V. GRIFFIN,
Secretary.

W. W. WHEELOCK,
President Village of Kenilworth.

Passed August 20, 1917.

Approved August 20, 1917.

An ordinance granting rights of water service in the Village of Kenilworth, Illinois, to Joseph Sears and his assigns..

Be it ordained by the President and Board of Trustees of the Village of Kenilworth:

Section 1. Subject to the terms and conditions of this ORDINANCE, permission and authority are hereby granted by the VILLAGE OF KENILWORTH, COUNTY OF COOK AND STATE OF ILLINOIS, to JOSEPH SEARS, OF THE VILLAGE OF WINNETKA, COUNTY OF COOK AND STATE OF ILLINOIS, his heirs, executors, administrators and assigns, for TWENTY-FIVE (25) YEARS from the date hereof, to construct, acquire, maintain and operate water works and to conduct the business of supplying water within the VILLAGE OF KENILWORTH, and all the territory which may hereafter be included in any extension of said VILLAGE.

Section 2. Said JOSEPH SEARS shall file on or before SEPTEMBER 1st, 1903, an accurate map drawn to scale showing the exact location and depth of every line of water pipe now existing in said Village of Kenilworth, showing the size of water mains and service pipes, together with a description of all valves and fittings at present used in supplying water in said VILLAGE as hereinafter specified: This map and specifications annexed to be corrected by said JOSEPH SEARS from time to time as the requirements of the VILLAGE shall compel the laying of new mains or feeder pipes or a change of valves and fittings. The present system together with the machinery in operation to be subject to the approval of the VILLAGE OF KENILWORTH by its BOARD OF TRUSTEES, this approval to be given in writing on the said map and specifications on or before October 1, 1903.

Section 3. Any extension or modification of the present water system shall be made by said Joseph Sears only upon the submission of detailed plans and specifications conforming to the above described map as to future water mains or feeder pipes, such supplementary maps and specifications to be approved in writing from time to time by the VILLAGE OF KENILWORTH before the extension shall be permitted, and any such extension must conform to such rules and regulations

of said VILLAGE OF KENILWORTH as may hereafter from time to time be expressed.

"Section 4. *Said Sears shall on due notice from said Village of Kenilworth and within a reasonable time after said notice lay whatever main pipes, service pipes or feeder pipes shall be required in any streets within the corporate limits of the Village of Kenilworth to supply any streets or houses not now supplied with water, provided that said Sears shall not be required to lay pipes in any streets, alleys or avenues along which no pipes are now laid unless the owners of the property abutting on such streets or alleys shall give a guarantee of a reasonable revenue from such extension of main pipes, service pipes or feeder pipes."*

"Section 5. *The rights and privileges hereby granted are upon the express condition that all water flowing through any pipes owned by said Sears or his assigns from and after April* 1, 1909, *shall be properly filtered by means of an approved filtration plant, so as to make said water usable for domestic purposes, and that the rates charged for filtered water furnished to consumers in the Village of Kenilworth from and after April* 1, 1909, *shall not exceed the following*:

Twenty-five cents per thousand gallons for the first sixty thousand gallons consumed per annum.

Eighteen and three-fourths cents per thousand gallons for the next sixty thousand gallons consumed per annum.

Twelve and one-half cents per thousand gallons for all water consumed in any year in excess of the one hundred and twenty thousand gallons as above provided.

The amount of water consumed shall be recorded in accurate and approved meters to be supplied, connected and kept in repair at the expense of the said Sears; such meters to be located in proper manner protected from frost and satisfactory to the Board of Trustees of the Village of Kenilworth. When a meter is installed in a

house or building the owner of the house or building shall protect it from frost or other injury. If more than one meter is required for any house or its out-buildings, the owner of the property shall pay the cost of installing each additional meter and he shall also pay any extra expense incurred by reason of the necessity for putting a meter in the street or at the curb instead of in the house as above provided. The minimum water rate for any house or building shall be ten dollars per annum, and should the cost of water used for any year by any single consumer amount to less than ten dollars, said Sears is authorized to charge and collect from such consumer a sufficient amount to make up the shortage upon said minimum water rate.

To insure that the water furnished shall at all times be usable for domestic purposes the said Sears for himself, his heirs, administrators, successors, and assigns, agrees with the Village of Kenilworth that he will at his own cost and expense furnish to the Board of Trustees of said Village of Kenilworth analyses of the water supplied to consumers at least once a month and as much oftener as shall be ordered by the said Board of Trustees. These analyses shall be made upon the supervision of the Board of Trustees of the Village of Kenilworth the sample to be selected shall be approved by them and the authority making the analysis shall also be approved by them. Should the water at any future time and for any cause prove by any of these analyses not to be usable for domestic purposes and not to be satisfactory to the said Board of Trustees, then the said Sears may discontinue filtration, but all water furnished to consumers of the Village of Kenilworth shall after said Board of Trustees shall by resolution so declare be charged for at the following rates:

Twenty cents per thousand gallons for the first sixty thousand gallons consumed per annum.

Fifteen cents per thousand gallons for the next sixty thousand gallons consumed per annum.

Ten cents per thousand gallons for all water consumed in any year in excess of the one hundred and twenty thousand gallons as above provided.

It being the sole intention of this clause of this ordinance that if it be impossible to so filter the water as to make it usable for domestic purposes and satisfactory to said Board of Trustees, then filtration may be discontinued and at once the lower rates for water furnished shall take effect.''

Section 6. If the water supplied to the residents of the VILLAGE OF KENILWORTH shall be taken from any source other than the inlets now owned by said JOSEPH SEARS, the approval of the VILLAGE OF KENILWORTH shall be first obtained in writing thereto, it being understood that the inlet pipe used shall always be of sufficient size to properly protect the rights of the citizens of Kenilworth and to supply a proper quantity of water for household use and fire protection.

Section 7. In the event that said JOSEPH SEARS shall cease for a period of more than two consecutive days, except for reasons beyond his control, to furnish sufficient water through his pipes for the needs of said VILLAGE and the residents thereof, or in case said JOSEPH SEARS shall fail or refuse to extend his main pipes as required by SECTION FOUR of this ORDINANCE, within ninety (90) days after notice so to do (unless delayed by frost causes beyond his control or unavoidable accident) the rights and privileges hereby granted shall, at the discretion of said VILLAGE OF KENILWORTH, to be exercised by its BOARD OF TRUSTEES, cease and be of no more force or effect; or at the election of said VILLAGE OF KENILWORTH, to be exercised by its BOARD OF TRUSTEES, said VILLAGE may enter into possession of said water mains, pipes, connections and all other equipments in the streets of said VILLAGE and use the same without hindrance or obstruction until said JOSEPH SEARS, his heirs, executors, administrators and assigns shall resume the furnishing of water in accordance with the terms and conditions of this ORDINANCE: All net income from the operation of said plant during said occupancy by the VILLAGE OF KENILWORTH to be credited to said second party, provided, however, said BOARD OF TRUSTEES may

grant to said JOSEPH SEARS, his heirs, executors, administrators or assigns, an extension of the time of compliance, or for good cause may by order or resolution waive any forfeiture accruing by reason of such non-compliance.

Section 8. Between September 1, A. D., 1908 and September 1, A. D., 1909, said VILLAGE OF KENILWORTH, upon notice given said JOSEPH SEARS during said period, shall have the right to purchase the entire water plant of said JOSEPH SEARS and all its property rights and effects of every kind and description within said VILLAGE OF KENILWORTH at an appraised value which shall be ascertained and determined by three competent and disinterested appraisers, who shall have full access to all books, papers and other documents bearing on or appertaining to the subject, and such appraisers shall be selected in the following manner, to-wit: One of said appraisers shall be appointed by the said VILLAGE OF KENILWORTH within ten days after said notice is given, one by said JOSEPH SEARS, his heirs, executors, administrators or assigns, and the two so selected shall choose a third, and if the said two appraisers cannot agree upon a third, then such third appraiser shall be selected by the CHIEF JUSTICE of the CIRCUIT COURT OF COOK COUNTY, ILLINOIS; said appraisers in determining the value of said property shall take into consideration the future earning capacity thereof: and the said three appraisers so chosen shall within sixty days after the appointment of the last appraiser make report in writing of the value of said property to the said VILLAGE OF KENILWORTH and to the said JOSEPH SEARS, his heirs, executors, administrators, or assigns, and the said VILLAGE OF KENILWORTH shall have the option at any time within six months after the receipt of said report to purchase said plant, property, effects and rights, together with all appurtenances, and equipments at the appraised value so fixed by said appraisers. If after said appraisers have been appointed by said VILLAGE, said JOSEPH SEARS or his successors fail or refuse to appoint an appraiser within ten days after having been notified of the appointment of said appraiser by said VILLAGE, then the appraiser appointed by said VILLAGE shall proceed to appraise said plant; and his decision shall have the same force and effect as that of the appraisers above provided for.

"*Section* 9. *If water bills figured in accordance with*

the terms of this ordinance shall not be paid within fifteen days after bill is rendered, then said Sears shall have the right to shut off the water from the premises of such delinquent user and need not turn on the water again until such overdue bill is paid together with a charge not exceeding two dollars to cover the cost of shutting off and turning on the water on the premises of such delinquent users. If any leak in the service water pipe exists on the premises of a consumer and such consumer is notified by said Sears, the consumer must at once have the leak repaired, in order to prevent waste of water. Failure to make such repair within a reasonable time after notice sent shall entitle the said Sears to shut off the water from the premises of such delinquent consumer and to discontinue water service until such leak is repaired.''

Section 10. In case JOSEPH SEARS shall directly or indirectly sell, lease or transfer his rights and privileges hereunder or any of them, or the control thereof, to any water company, corporation, or private individual, then or afterwards engaged in supplying water within the VILLAGE OF KENILWORTH any such company, corporation or individual shall, by the mere force of such sale, lease or transfer, be held and deemed to have accepted all the provisions, duties and obligations imposed by this ORDINANCE upon said JOSEPH SEARS, his heirs, executors, administrators and assigns, with respect to the sale of water, and shall be held and deemed to have contracted with the VILLAGE OF KENILWORTH to furnish all water sold by said company, corporation or individual at the rates and on the terms and conditions herein prescribed; and said company, corporation or individual acquiring any of the rights directly or indirectly hereby granted shall be held and deemed thereby to have accepted this ORDINANCE as a sole authority from said VILLAGE OF KENILWORTH under which its business or any part thereof may be done, and to have assented to all the provisions of this section.

Section 11. In consideration of the granting of the within rights and privileges, said JOSEPH SEARS agrees at all times hereafter to furnish to said VILLAGE OF KENILWORTH, and further extensions of said VILLAGE, free of cost, a suffi-

cient amount of water to keep the streets of said VILLAGE and extensions thereof sprinkled and the sewers thereof properly flushed; said sprinkling and flushing to be done at the expense of said VILLAGE. Said JOSEPH SEARS also agrees to provide at his own expense and properly install and keep in repair a sufficient number of fire plugs to supply protection to said VILLAGE and the residents thereof from fire and furnish all needful water for fire protection without cost to the VILLAGE OF KENILWORTH. Said JOSEPH SEARS also agrees to furnish sufficient water for all public fountains in said VILLAGE during the life of this ORDINANCE at a rate not to exceed eight cents per thousand gallons.

Section 12. This ORDINANCE and all provisions thereof shall be binding not only upon said JOSEPH SEARS but upon his executors, administrators, heirs and assigns to the same force and effect as if they had been specifically named throughout said ORDINANCE.

Section 13. This ORDINANCE shall be in force from and after its passage and acceptance in writing by the said JOSEPH SEARS.

APPROVED: VICTOR C. SANBORN,
ACTING PRESIDENT OF THE
VILLAGE OF KENILWORTH.

PASSED BY THE BOARD OF TRUSTEES FOR THE VILLAGE OF KENILWORTH, August 10, A. D. 1903.

J. WARREN PEASE,
Clerk Pro. Tem.

Chicago, August 17, 1903.

Accepted—JOSEPH SEARS.

Note: Italicized portions of foregoing ordinance represent amendments passed and accepted March 8, 1909.

ELECTRIC LIGHTING ORDINANCE.

An ordinance granting certain rights and privileges to Joseph Sears, of Winnetka, Cook County, Illinois, his successors and assigns:

Be it ordained by the President and Board of Trustees of the Village of Kenilworth:

Section 1. That under the conditions and subject to the limitations hereinafter prescribed, the right, permission, consent and authority be, and the same are hereby granted to Joseph Sears, his successors and assigns, to erect, construct, operate, repair and maintain within the Village of Kenilworth, the necessary machinery for the generation of electric current, also to erect, construct, operate, repair, maintain and use the wires and other electrical conductors and conduits, together with the proper feeders, guards, coverings and fixtures, necessary to be used for the transmission and distribution of electricity for the purpose of furnishing light, heat and power to the inhabitants of the Village of Kenilworth, under and through all streets and public highways and through all parkways in said Village, but the erection of such generating plant shall not be obligatory on said Sears in case he should be able to purchase electric current more advantageously than to generate it.

Section 2. Said Sears shall file on or before July 1, 1907, plans and specifications for the construction of said electric light plant, or distribution system, to be accompanied by an accurate map, and he shall make such additions to said plans and specifications from time to time as changes or extensions in the system shall render necessary. All lines of wires and conductors for the transmission of electricity shall be properly insulated and laid *and permanently maintained* in properly protected cables entirely under ground, provided that in case current is not generated in Kenilworth, but brought in from outside the Village limits, there may be used not more than two poles to permit of the current being brought to the point of distribution.

In the construction of said lines of wires, conductors or con-

duits, underground, no excavation shall exceed in width the space of two (2) feet.

Section 3. Said Sears shall do no permanent injury to any highway, street, public place, tree or sidewalk nor shall he in any manner interfere with any water pipe, sewer pipe or gas pipe, telegraph or telephone, wires or poles, or other electric wires, or any sidewalks which are now or hereafter may be laid or placed in said Village of Kenilworth, except by consent of the Board of Trustees of said Village or duly authorized officers thereof; and whenever said Sears shall open or interfere with any street, avenue, public place or public highway, said Sears shall put up and maintain proper barriers and signal lights and shall forthwith, at his own expense, restore such highway, street, avenue, public place, water pipe, sewer or gas pipe, or sidewalk, to as good condition as before such opening or interference, and to the satisfaction of the Board of Trustees of said Village, or the officer appointed or designated by said Board, and if said Sears shall neglect or refuse so to do, the same may be done by the said Village and the said Sears shall be liable for, and by the acceptance of this ordinance agrees to pay the cost and expense thereof.

Section 4. Said Sears shall not make any excavation or construct any conduits, or lay any wires or other conductors, or do any work, in any of said public streets, avenues, highways, or public places, or in any way disturb the surface thereof, or locate any building on public or private property until he shall have filed with the Village Clerk of said Village, a plan showing the location, so far as practicable, of intended work, and obtain a written permit from any duly authorized officer of said Village. Said Sears shall upon written notice from any duly authorized officer of said Village, forthwith remove or change any wire, conductor or conduit, which, in the judgment of the Board of Trustees of said Village, may be in the way, or interfere with the growth of any tree or with the public use of any street, avenue, highway, sidewalk or crosswalk, or with the construction or erection of any viaduct, sewer, gas, or water pipe, public building or any public improvement within said Village.

Section 5. Said Sears shall be liable to, and by the acceptance of this ordinance agrees to compensate the said Village of Kenilworth, and pay any private individual owner or own-

ers of, or parties interested in any property adjacent to any street, avenue, or public highway, or place, opened or encumbered by it, for all damages which may result by reason of said Sears having negligently opened, encumbered, or insufficiently protected or guarded any such street, avenue, highway or public place in said Village, or from or by reason of any negligence or failure on the part of said Sears in the exercise of any privileges granted and assumed by this ordinance.

Section 6. *The rate to be charged by the said Sears, his successors, and assigns, for supplying a consumer other than the Village of Kenilworth with electricity for lighting, heating or power purposes shall not exceed fourteen and one-half cents* (14½) *per kilowatt hour for all electricity consumed in each month up to and including an amount that would be equal to thirty* (30) *hours' use of the consumer's maximum demand in such month and eight cents* (8c) *per kilowatt hour for electricity consumed in each month in excess of that amount. The consumer's maximum demand shall be ascertained by a maximum recording meter which shall at all times be subject to the approval of the President and the Board of Trustees of the Village of Kenilworth, except where the maximum capacity of the consumer's installation is two* (2) *kilowatts or less, in which case the consumer's maximum requirement may be fixed by the estimated average maximum connected load as embodied in a fixed table or schedule to be filed with the Chairman of the Public Works Committee at the time of the acceptance of this ordinance.*

All bills shall be rendered monthly as nearly as practicable and every bill shall state the correct reading of the consumer's meter at the beginning and at the close of the period for which the bill is rendered, and shall show the exact computation by which the charges are fixed in such bill. And on each bill paid within ten (10) *days after the date of its mailing or delivery the consumer shall be entitled to a discount of one cent* (1c) *per kilowatt hour of the total consumption charged for therein.*

If any consumer shall fail to pay any bill within twenty (20) *days after the date of its mailing or delivery, the said Sears, his successors and assigns, may cut off the electrical service to such consumer until all arrears, including cost of shutting off and re-connection for resumption of service shall be fully paid.*

The said Sears, his successors and assigns, shall furnish, install and maintain all the necessary transformers and meters. Whenever any person having premises adjacent to a street in which said Sears, his successors or assigns, shall have installed a secondary transmission line or shall hereafter install such line as required by the plat heretofore filed with the Village Clerk or in which a secondary transmission line shall have been installed by order of the Board of Trustees of said Village, as provided for in Section VII of said ordinance, applies for heat, light or power service for any house or building upon such premises, said Sears shall install the proper connecting service wires from such secondary transmission line to such house or building, and shall have the right to charge the applicant therefor the market value of the cables used for that purpose, no charge, however, to be made for the labor of installing such cable or for materials other than said cables; said connection to be made to the nearest point upon said secondary line to the meter of said applicant. The light to be furnished hereunder shall at all times be of reasonable quality and shall be equal in quality to that furnished to consumers in the city of Chicago for general household use.

The service shall be continuous, except that between the hours of nine A. M. and three P. M. it may be suspended by written permission of said Board of Trustees.

Said Sears, his successors or assigns, shall not at any time during the life of this ordinance charge the Village of Kenilworth a higher price or rate for electric current than is charged the City of Evanston by the North Shore Electric Company, its successors or assigns, or other responsible company, nor shall he, the said Sears, his

successors or assigns, charge the inhabitants of the Village of Kenilworth a higher price or rate for electric current than is charged the inhabitants of the City of Evanston by the North Shore Electric Company, its successors or assigns, or other responsible company.

Said Sears, his successor or assigns, may establish a minimum charge per month for consumers of said electric current, which said minimum charge shall at no time, however, exceed the charge of $1.00 *per month for each consumer of said electric current.*

Section 7. Said Sears shall extend conductors, and supply electricity upon any street or streets, avenues, or highways when ordered so to do by the Board of Trustees, provided, however, that he shall not be ordered to make such extension, unless the owners of the property abutting on such street or avenue shall give a guarantee of a reasonable revenue from such extra service.

Section 8. The rights and privileges hereby granted are upon the express condition that the said Sears, his successors and assigns, shall supply free of charge to the Village of Kenilworth electric current to the amount of 100 kilowatt hours per annum during the life of this ordinance, the same to be used for municipal purposes, and shall pay to the said Village of Kenilworth, after the first five (5) years from date of passage of this ordinance five per cent (5%) of the annual gross revenue and receipts derived from business done under the provisions of this ordinance within said Village, said payment to be made to the Village Treasurer of said Village within thirty days after the expiration of each semi-annual period, and each payment shall be accompanied by an affidavit of said Sears, or his representative to the effect that the amount of such payment is equal to said five per cent (5%) of said gross revenue and receipts as herein required.

The Village Treasurer shall, within a reasonable time after the filing of such affidavit, have the right to examine the customers' ledger or other books showing gross receipts of said Sears from Kenilworth, for the purpose of verifying the correctness of the statements contained in such affidavit or affidavits accompanying such payments.

Said Sears shall furnish to said Village, such additional

electric current as said Village shall need for municipal purposes except street lighting, at the rate of ten (10) cents per kilowatt hour.

Section 9. This ordinance and all the rights herein granted except as to price to be charged for current, shall be subject to all general ordinances or regulations relating to electric lighting, electric lighting companies, and the placing or maintenance of wires, conductors, or conduits, for electric lighting purposes, now in force or that may hereafter be adopted by the Board of Trustees of said Village.

Section 10. The rights and privileges hereby granted by this ordinance are granted for the term of twenty-five (25) years from and after the acceptance of this ordinance and said rights and privileges are hereby granted upon the express condition that at the end of said term of twenty-five (25) years, the Village of Kenilworth shall have the right to purchase the entire property and effects of every nature and kind of and pertaining to the electric lighting plant operated under said ordinance in said Village at an appraised value which shall be ascertained and determined by three competent and disinterested appraisers who shall have full access to all books, papers and other documents bearing on or appertaining to the subject, and such appraisers shall be selected in the following manner, to-wit: One of said appraisers shall be appointed by the said Village of Kenilworth, one by said Sears, and the two so selected shall choose a third, or in the event of failure of the two to agree on a third, then such third appraiser shall be selected by a majority of the judges of the Circuit Court of Cook County, Illinois; and the said three appraisers so chosen shall, within six months after the appointment of the last appraiser, make report in writing to said Village and to said Sears, of the value of said property and effects, and said Village of Kenilworth shall have the option at any time within six months after the receipt of said report to purchase said property and effects at the aforesaid value so fixed by said appraisers, *provided,* however, that if said Village shall so elect to so purchase said property and effects, then said Sears shall have the right to operate said property and effects and receive the profit therefrom during the time such arbitration is in progress and until the same shall be completed and the purchase price as fixed by the arbitration has been paid.

Section 11. Said Sears shall not be entitled to any of the

rights or privileges by this ordinance granted or conferred, unless he shall file, with the Village Clerk of said Village, his written acceptance of this ordinance, within sixty (60) days after its passage and shall, within the same time execute and file with said Village Clerk a bond in the penal sum of ten thousand ($10,000) dollars, to be renewed from time to time at the election of said Trustees, with surety satisfactory to the President and Board of Trustees of said Village of Kenilworth, conditioned upon the faithful performance and observance by said Sears, his successors and assigns of all the provisions and conditions of this ordinance, and further conditioned to indemnify and save harmless the said Village of Kenilworth from any and all loss, costs, expenses and damages, which may accrue, or which in any manner may arise or grow out of the exercise by said Sears of the rights and privileges hereby granted. No work shall be done under this ordinance until said ordinance is accepted and bond filed and approved, but one year will be allowed for the completion of work to be done under specifications approved by said Trustees.

Section 12. In the event that said Sears shall cease for a period of more than two consecutive days (except for reasons beyond his control) to furnish sufficient current for the needs of said Village and the residents thereof, or in case said Sears shall fail or refuse to extend his conductors as required by Section 7 of this ordinance, within ninety (90) days after notice so to do (unless delayed by frost, unavoidable accidents or other causes beyond his control), the rights and privileges hereby granted shall, at the discretion of said Village of Kenilworth, to be exercised by its Board of Trustees, cease and be of no more force or effect; or at the election of said Village of Kenilworth to be exercised by its Board of Trustees, said Village may enter into possession of said building, machinery, distributing conductors, and all other equipments in the streets or parkways of said Village and use the same without hindrance or obstruction until said Sears, his heirs, executors, administrators or assigns shall resume the furnishing of electric current in accordance with the terms and conditions of this ordinance.

All net income from the operation of said plant during said occupancy by the Village of Kenilworth to be credited to said Sears, provided, however, said Board of Trustees may grant to said Sears, his heirs, executors, administrators or assigns, an extension of the time for compliance or for good cause may

by order or resolution waive any forfeiture accruing by reason of such non-compliance.

Section 13. In case said Sears shall directly or indirectly sell, lease or transfer his rights and privileges hereunder or any of them, or the control thereof, to any electric lighting company, corporation or private individual, then or afterwards engaged in supplying electric current within the Village of Kenilworth any such company, corporation or private individual shall, by the mere force of such sale, lease or transfer, be held and deemed to have accepted all the provisions, duties and obligations imposed by this ordinance upon said Sears, his heirs, executors, administrators and assigns, and shall be held and deemed to have contracted with the Village of Kenilworth to furnish all current sold by said Sears, at the rates and on the terms and conditions herein prescribed; and said company, corporation or individual acquiring any of the rights directly or indirectly hereby granted shall be held and deemed thereby to have accepted this ordinance as sole authority from said Village of Kenilworth.

Section 14. This ordinance shall be in force and effect from and after its passage, and upon the acceptance and bond being filed and approved, as required by Section 11 aforesaid.

Passed by the President and Board of Trustees of the Village of Kenilworth on the first day of June, 1907, and filed in the office of the Village Clerk of said Village this first day of June, 1907.

BENJAMIN P. HINMAN, JR.,
Village Clerk.

Approved by the President of the Village of Kenilworth this first day of June, 1907.

CHARLES WARE,
President of Village of Kenilworth.

I hereby accept the above ordinance.

WITNESS MY hand and seal this first day of June, 1907.

JOSEPH SEARS. (Seal)

Note: Italicized portions of foregoing ordinance represent amendments passed and accepted June 20, 1911.

TABLE SHOWING FULL RATE KILOWATT HOURS PER MONTH FOR LIGHTING CUSTOMER WITH LESS THAN 2 KILOWATTS CONNECTED. ALSO NUMBER OF LAMPS USED AS MAXIMUM.

Connected Load		Kilowatt hours per month at high rate		Estimated Maximum No. of 50 watt lamps used during month.	
Equiv. 50 Watt Lamps	Total Watts.	Residence Customers	Commercial Customers	Residence Customers	Commercial Customers
1	50	2	2	1	1
2	100	3	3	2	2
3	150	5	5	3	3
4	200	6	6	4	4
5	250	7	8	5	5
6	300	8	9	5	6
7	350	9	10	6	6.7
8	400	10	11	6.7	7.3
9	450	10	12	6.7	8
10	500	11	13	7.3	8.7
11	550	11	14	7.3	9.3
12	600	12	15	8	10
13	650	12	16	8	10.7
14	700	13	17	8.7	11.3
15	750	13	18	8.7	12
16	800	14	19	9.3	12.7
17	850	14	20	9.3	13.3
18	900	15	21	10	14
19	950	15	22	10	14.7
20	1000	15	22	10	14.7
21	1050	16	22	10.7	14.7
22	1100	17	23	11.3	15.3
23	1150	18	23	12	15.3
24	1200	18	23	12	15.3
25	1250	19	24	12.7	16
26	1300	19	24	12.7	16
27	1350	20	25	13.3	16.7
28	1400	20	26	13.3	17.3
29	1450	21	26	14	17.3
30	1500	22	27	14.7	18
31	1550	22	28	14.7	18.7
32	1600	23	29	15.3	19.3
33	1650	24	30	16	20
34	1700	25	31	16.7	20.7
35	1750	25	32	16.7	21.3
36	1800	25	33	16.7	22
37	1850	26	33	17.3	22
38	1900	26	34	17.3	22.7
39	1950	27	35	18	23.3
40	2000	27	38	18	23.3

Fixed table or schedule submitted to Village of Kenilworth by the Kenilworth Lighting Co. as the table or schedule referred to in the ordinance passed June 20, 1911, amending Section 6 of "an ordinance granting certain rights to Joseph Sears," approved June 1, 1907.

P. B. ECKHART,
Chairman Public Works Comm.

HENRY TAYLOR, JR.,
President.

Assignment of Electric Light Franchise.

WHEREAS, on June 1, 1907, there was duly passed and approved by the President and Board of Trustees of the Village of Kenilworth, Illinois, an ordinance entitled, "An ordinance granting certain rights and privileges to Joseph Sears of Winnetka, Cook County, Illinois, his successors and assigns," and

WHEREAS, on May 4, 1907, there was duly passed and approved by the President and Board of Trustees of the Village of Kenilworth, an ordinance entitled, "An ordinance amending Section Two of an ordinance entitled, 'An ordinance granting certain rights and privileges to Joseph Sears of Winnetka, Illinois, his successors and assigns, passed June 1, 1907,' " and

WHEREAS, on December 9, 1907, there was duly passed and approved by the President and Board of Trustees of said Village of Kenilworth, an ordinance entitled "An ordinance amending Section Two of an ordinance entitled, 'An ordinance granting certain rights and privileges to Joseph Sears of Winnetka, Cook Counay, Illinois, his successors and assigns, passed June 1, 1907 and approved June 17, 1907,' " and

WHEREAS, by written assignment dated May 7, 1908, said Joseph Sears, duly assigned and transferred all the benefits, rights, privileges and advantages conferred upon him under said three above mentioned ordinances unto Frank J. Baker of Chicago, Illinois, and

WHEREAS, by written assignment dated May 26, 1908, said Frank J. Baker, duly assigned and transferred all the benefits, rights, privileges and advantages conferred upon him under said three above mentioned ordinances unto the Kenilworth Lighting Company, and

WHEREAS, by deed of this date, all the property, constructed, operated and maintained under said three above mentioned ordinances, was duly transferred by said Kenilworth Lighting Company unto North Shore Electric Company.

NOW, THEREFORE, for and in consideration of the sum of one dollar ($1.00) and other valuable considerations, the receipt whereof is hereby acknowledged, said Kenilworth Lighting Company, an Illinois corporation, does hereby sell, assign, transfer and set over unto North Shore Electric Company, like-

wise an Illinois corporation, its successors and assigns, all the benefits, rights, privileges and advantages conferred and granted under said three above mentioned ordinances and each of them, and acquired by said Kenilworth Lighting Company in the manner aforesaid.

IN WITNESS WHEREOF, said Kenilworth Lighting Company has caused this instrument to be signed in its corporate name by its President and to be sealed with its corporate seal, attested by its Secretary, this first day of July, A. D., 1911.

KENILWORTH LIGHTING COMPANY,

By FRANK J. BAKER,
President.

ATTEST:

Secretary.

GAS FRANCHISE ORDINANCE.

An ordinance granting rights to Joseph Sears in the Village of Kenilworth, Ill.

Be it ordained by the President and Board of Trustees of the Village of Kenilworth, Cook County, Illinois:

Section 1. Subject to the terms and conditions of this ordinance permission and authority are hereby granted to Joseph Sears, of Winnetka, Illinois, his heirs, executors, administrators and assigns, the right for fifty (50) years from the date hereof, to construct, as hereinafter limited, to purchase, acquire, maintain and operate gas works and conduct a business of supplying gas within the Village of Kenilworth and all territory which may be included in any extension of said Village, together with the right to purchase and maintain the mains, service pipes and branches now in place and to lay mains and service pipes along, through and under all the avenues, streets and alleys in said Village and future extensions thereof, for the purpose of placing, operating, repairing and maintaining one or more lines of gas mains and pipes, and all necessary feeders and service pipes in connection therewith for power, lighting and fuel purposes.

Section 2. Said Sears, his heirs, executors, administrators and assigns shall not lay main pipes in any such avenue, street or alley of said Village, unless they shall at the same time lay down all feeders and service pipes necessary to make connection with each and all building lots fronting or abutting on such avenue, street or alley thereof, without any subsequent disturbance of the pavement or the surface thereof.

Section 3. Said Sears, his heirs, executors, administrators and assigns shall do no permanent injury to any street, parkway, sidewalk, alley, avenue or shade trees, or in any manner permanently disturb or interfere with any water pipe, sewer or gas pipe, now or hereafter laid by said Village, or any company or corporation, and when they shall have opened ground in any street, avenue or alley, they shall forthwith restore such street, avenue or alley, and the pavements, side-walks, surface, water-pipes, sewer or gas pipes thereon or therein, to a condi-

tion equally as good as before, at their own expense, and if they shall fail or refuse so to do for five (5) days after written notice, the same may be done by said Village, and they shall be liable for and shall pay the said Village the cost thereof, provided that such notice shall be served on said Sears, his heirs, executors, administrators or assigns within a period of six (6) months from date of said excavating.

Said Sears, his heirs, executors, administrators and assigns shall not open or obstruct or incumber more of any street, avenue or alley at any one time than may be necessary to enable them to proceed with advantage in the laying of such main pipes, feeders or service pipes; nor shall they permit any such street, avenue or alley to remain open, obstructed or incumbered for a longer period than shall be necessary to execute the work for which same shall have been opened, or without putting up proper barriers and lights so as to effectually prevent the happening of any accident in consequence of such opening or incumbering of any such street, avenue or alley.

Section 4. Said Sears, his heirs, executors, administrators and assigns shall make and keep an accurate map showing the exact location and depth of every line of pipe laid by them, which map shall at all times be accessible for public inspection.

Section 5. Said Sears, his heirs, executors, administrators and assigns shall be liable to and shall compensate the Village of Kenilworth and pay any private individual, owner or owners, or parties interested in any property adjacent to any street, avenue or alley, or public place opened or injured by them, for all damages which may result from leaks of pipes, or by reason of their having negligently opened, incumbered, or wrongfully failed to protect or guard any such street, avenue or alley or public place in said Village, or any opening or obstruction therein, and shall furnish a good and sufficient indemnifying bond for that purpose, to be approved by the President and Board of Trustees in the sum of five thousand ($5000) dollars, and shall keep same good by renewal from time to time as may be required by the President and Board of Trustees, during the continuance of this ordinance.

Section 6. Said Sears, his heirs, executors, administrators and assigns shall be subject to all general ordinances of the Village of Kenilworth in regard to gas companies, and said Board shall have the right at any time to provide for the ap-

pointment of one or more inspectors of gas with all the power and authority incident to such position, and which the said Village may deem necessary to protect the Village of Kenilworth in its corporate rights, and individual consumers of gas against oppression and fraud.

Section 7. The use of all meters for the measurement of said gas shall be furnished free by said Sears, his heirs, executors, administrators and assigns, to all consumers using five thousand or more cubic feet of gas per annum, and all such meters shall be subject to inspection and approval by such person or persons as may be appointed by said Village for the purpose, and said Sears, his heirs, executors, administrators and assigns, shall pay all reasonable costs and charges of such inspection, as fixed by ordinance from time to time by said Village.

Section 8. Said Sears, his heirs, executors, administrators and assigns shall supply gas in any quantity and in all quantities necessary or required for the uses of the Village or for the use or uses of the inhabitants thereof for light, fuel and power, under a uniform pressure and of as uniform quality as practicable, averaging for any month not less than twenty-two (22) sperm candles, burning 120 grains per hour as determined by standard photometrical tests, a five foot burner being used.

Section 9. Said Sears, his heirs, executors, administrators and assigns shall on due notice from proper authorities of the Village of Kenilworth lay the necessary main pipes, branches and feeders in any streets within the corporate limits which are not now improved with permanent pavements, but which at any future time may be so improved, said main pipes, branches and feeders to be laid previous to such improvement being made, and within reasonable time from date of such notice.

Section 10. The rights and privileges hereby granted are upon the express condition that any and all gas flowing through any main pipe, feeder or service pipe, laid, owned or used by said Sears, his heirs, executors, administrators, or assigns, or by their authority shall be charged for to the Village of Kenilworth or to general consumers at a rate not to exceed, as a maximum, one dollar net per one thousand (1000) cubic feet; and in the event of the price of gas either for fuel or lighting, being reduced at any time during the life of this

franchise to the City of Evanston, or to the inhabitants of said City of Evanston, by any responsible company furnishing such city or such inhabitants with gas at a figure below one dollar net per one thousand (1000) cubic feet, the citizens and Village of Kenilworth shall be furnished during the time of such reduction, gas at the same reduced price for fuel or lighting purposes.

Section 11. In the event that said Sears, his heirs, executors, administrators or assigns shall cease for a period of more than ten consecutive days (unless by reason of unavoidable accident) to furnish gas through their pipes, or in case they shall fail or refuse to extend their main pipes as required by Section nine of this ordinance for more than ninety (90) days after written notice so to do (unless delayed by frost or unavoidable accident), the rights and privileges hereby granted shall, at the election of said Village of Kenilworth, to be exercised by its Board of Trustees, cease and be of no more force or effect; or at the election of said Village of Kenilworth to be exercised by its Board of Trustees said Village may enter into possession of said gas mains, pipes, connections and all other equipment in the streets of said Village and use the same without hindrance or obstruction until said Sears, his heirs, executors, administrators or assigns shall resume the furnishing of gas in accordance with the terms and conditions of this ordinance; provided, however, said Board of Trustees may grant to said Sears, his heirs, executors, administrators or assigns, an extension of the time of compliance, or for good cause may by order or resolution waive any forfeiture accruing by reason of such noncompliance; it being further provided that in the event of the forfeiture of said franchise as provided in Section Eleven of this ordinance, then the said Village of Kenilworth shall have the right to purchase the entire plant of the said Sears, his heirs, executors, administrators or assigns and all its property, effects and rights of every kind and description within said Village of Kenilworth at an appraised value which shall be ascertained and determined by three competent and disinterested appraisers, who shall have full access to all books, papers and other documents bearing on or appertaining to the subject, and such appraisers shall be selected in the following manner, to-wit: One of said appraisers shall be appointed by the said Village of Kenilworth, one by said Sears, his heirs, executors, administrators or assigns, and the two so selected

shall choose a third, and if said two appraisers cannot agree upon a third, then such third appraiser shall be selected by the Chief Justice of the Circuit Court of Cook County, Illinois; and the said three appraisers so chosen shall within sixty (60) days after the appointment of the last appraiser make report in writing of the value of said property to the said Village of Kenilworth and to the said Sears, his heirs, executors, administrators or assigns, and the said Village of Kenilworth shall have the option at any time within six (6) months after the receipt of said report to purchase said plant, property, effects and rights together with all appurtenances and equipments at the appraised value so fixed by said appraisers.

The provisions of this section shall not be so construed as to prevent said Sears, his heirs, executors, administrators or assigns from refusing to furnish gas to such consumers in the Village of Kenilworth as shall not pay their gas bills when due, or to property abutting on streets where no mains are laid; nor shall such refusals on the part of said Sears, his heirs, executors, administrators or assigns operate as a cause of forfeiture of franchise as provided in this section.

In case said Sears, his heirs, executors, administrators or assigns shall directly or indirectly sell, lease or transfer their rights and privileges hereunder, or any of them, or the control thereof, to any gas company, corporation, or private individual, then or afterwards engaged in the manufacture or sale of gas within the Village of Kenilworth, any such company, corporation or individual shall, by the mere force of said sale, lease or transfer, be held and deemed to have accepted all the provisions, duties and obligations imposed by this ordinance upon said Sears, his heirs, executors, administrators and assigns, with respect to the manufacture and sale of gas, not only under the authority of this ordinance, but under that of any other ordinance or franchise under which said company, corporation or individual may at any time operate, and shall be held and deemed to have contracted with the Village of Kenilworth to furnish all gas made or sold by said company, corporation or individual at the rates and on the terms and conditions herein prescribed; and said company, corporation or individual acquiring any of the rights directly or indirectly hereby granted shall be held and deemed thereby to have accepted this ordinance as a sole authority from said Village of

Kenilworth under which its business, or any part thereof may be done, and to have assented to all the provisions of this section.

Section 12. Before opening any streets, avenues or alleys, for the purpose of laying pipes or for any other purpose, said Sears, his heirs, executors, administrators and assigns shall first obtain a permit so to do from the proper authorities of said Village; and such main pipes, feeders and branches shall be in a location approved by the Board of Trustees, or their authorized representative.

Section 13. Should it become necessary at any future time to make additions or extensions to the present gas works, such additions or extensions must be made only within two hundred (200) feet of the boundary line of the property now occupied by said gas works unless by special consent of the proper authorities of said Village.

Section 14. This ordinance shall be in force from and after its passage and acceptance, provided such acceptance shall be filed in the office of the Village Clerk not later than June 30, 1897.

Section 15. This ordinance shall be known as ordinance number twenty-five (25).

(Signed) ROLLIN A. KEYES,
President.

Accepted June 30, 1897.
JOSEPH SEARS.

Passed June 29, 1897.

Approved June 29, 1897.

Posted July 3, 1897.

Attest: H. A. HALL,
Village Clerk.

Ordinance Approving Assignment of Gas Franchise.

Be it ordained by the President and Board of Trustees of the Village of Kenilworth, Cook County, Illinois:

Section 1. Whereas, by an ordinance of the President and Board of Trustees of the Village of Kenilworth, known as ordinance No. 25, passed and approved June 29, A. D. 1897, permission and authority were granted to Joseph Sears and his assigns to construct, purchase, acquire, maintain and operate gas works and conduct the business of supplying gas within the Village of Kenilworth and all territory which may be included in any extension of said Village, together with other rights and privileges in said ordinance more particularly set forth; and whereas said Joseph Sears sold, assigned, transferred, conveyed and set over to the Kenilworth Light and Fuel Company all his right, title and interest to the said ordinance and franchise and all of the rights, privileges and concessions thereby granted on May 3, 1899, and whereas said Kenilworth Light and Fuel Company sold, assigned, transferred, conveyed and set over to Rufus C. Dawes all of its right, title and interest in and to the said ordinance and franchise and all of the rights, privileges and concessions thereby granted, by assignment dated January 3, A. D. 1900, and whereas said Rufus C. Dawes has sold, assigned, transferred, conveyed and set over to the Northwestern Gas Light and Coke Company all of his right, title and interest in and to the said ordinance and franchise and all of the rights, privileges and concessions thereby granted, by an assignment dated January 8, A. D. 1900, and whereas said Northwestern Gas Light and Coke Company are ready and willing to accept all of the provisions, duties and obligations imposed by said ordinance No. 25,

Now Therefore,

Section 2. Said several sales, transfers and assignments of said ordinance and franchise are hereby approved, consented to and ratified, and all of the rights, privileges, franchises, concessions, power and authority conferred by said ordinance No. 25 are hereby ratified and confirmed in said Northwestern Gas

Light and Coke Company, assignee as aforesaid, subject to the terms and conditions in said Ordinance No. 25 contained.

Section 3. This ordinance shall be in force from and after its passage and acceptance by the Northwestern Gas Light and Coke Company.

Section 4. This ordinance shall be known as ordinance No. 37.

GEORGE A. McCLELLAN,
President, Village of Kenilworth.

Passed January 22, 1900.

Approved January 22, 1900.

Attest: BENJAMIN P. HINMAN, JR.,
Village Clerk.

Ordinance Accepting Conveyance of Beach to Village of Kenilworth.

Be it ordained by the President and Board of Trustees of the Village of Kenilworth:

That the certain deed of Ingolf K. Boyesen and William H. H. Sears, purporting to convey to said Village of Kenilworth property described as follows, to-wit: Real estate in said Village of Kenilworth described as follows: Beginning at the most

> northerly corner of Lot One (1), Block Sixteen (16) in Kenilworth (being a subdivision of parts of fractional Sections Twenty-two (22) and Twenty-seven (27) and part of Section Twenty-eight (28), all in Township Forty-two (42) North, Range Thirteen (13) East of the Third Principal Meridian), running thence in a northeasterly direction on a line with the northwesterly boundary line of said Lot One (1) extended two hundred (200) feet more or less to a point where said line extended meets the shore line of Lake Michigan; thence along the shore line of said lake in a southeasterly direction nine hundred and eighty (980) feet more or less to a point where the southeasterly line of Lot Ten (10) in said Block Sixteen (16) extended intersects the shore line of said lake; thence along said line in a southwesterly direction to the most easterly corner of Lot Ten (10) aforesaid; thence in a northwesterly direction along the northeasterly line of said Block Sixteen (16) to the place of beginning,

and bearing date the 9th day of May, 1898, be, and the same hereby is, accepted, and the Clerk is hereby directed to cause the same to be recorded forthwith in the office of the Recorder of Deeds of Cook County.

Section 2. This ordinance shall be known as ordinance No. 32.

Passed August 8, 1898.

Approved August 12, 1898.

ROLLIN A. KEYES,
President of the said Village of Kenilworth.

Attest: HENRY A. HALL,
Village Clerk.

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